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AN ACT TO MAKE MISCELLANEOUS AND TECHNICAL CHANGES TO VARIOUS TRADE LAWS

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Mr. BENTSEN, from the Committee on Finance, submitted the following

REPORT

[To accompany H.R. 1594]

The Committee on Finance, to which was referred the bill (H.R. 1594) to extend nondiscriminatory treatment to the products of the Peoples' Republic of Hungary for three years, having considered the same, reports favorably thereon with an amendment to the text and an amendment to the title, and recommends that the bill (as amended) do pass.

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Glossary of Terms

CBERA—Caribbean Basin Economic Recovery Act
CBI—Caribbean Basin Initiative
COBRA—Consolidated Omnibus Budget Reconciliation Act
EC—European Community
FTA—Free Trade Agreement
FTE—Full-Time Equivalent
FTZ—Foreign Trade Zones
FY—Fiscal Year
GATT—General Agreement on Tariffs and Trade
GSP—Generalized System of Preferences
HTS—Harmonized Tariff Schedules of the United States
ITC—International Trade Commission
MFN—Most-Favored-Nation
OMB—Office of Management and Budget
TSUS—Tariff Schedules of the United States
USTR—United States Trade Representative

I. Summary

The Committee bill makes a variety of miscellaneous and technical changes to the trade laws of the United States. Title I contains a number of tariff provisions, including both permanent and temporary amendments to the Harmonized Tariff Schedules of the United States (HTS), and other miscellaneous tariff and customs provisions. Title II would provide amendments to the Caribbean Basin Economic Recovery Act (CBERA). Title III provides authorizations of appropriations for fiscal years (FY) 1991 and 1992 for three Federal agencies with responsibilities in the international Trade area: the Office of the United States Trade Representative (USTR), the United States International Trade Commission (ITC), and the United States Customs Service. Title IV contains other, miscellaneous trade provisions, including technical amendments to Title IV of the Trade Act of 1974 relating to the Congressional approval process for providing most-favored-nation (MFN) status to countries not currently entitled to such status. Title IV also amends the current law providing customs user fees.

regard to the remaining provisions of this bill, the Committee conducted a process of seeking public comment and review by the Administration and the ITC.

II. General Explanation

Title I. Tariff Provisions

This title contains miscellaneous tariff and trade provisions covering duty suspensions, duty-free measures, classification changes, and customs-related non-tariff matters, as well as a number of technical corrections of inadvertent errors arising from the January 1, 1989 conversion to the HTS.

All these provisions have been through a clearance process involving the solicitation of public comments and review by the Administration and the ITC. Most are not controversial.

Where this bill provides for the temporary suspension or reduction of a duty on an imported product, it is the belief of the Committee that the temporary duty treatment will be in the interest of U.S. competitiveness. Generally speaking, duties are reduced on articles not produced in the United States, particularly those used by domestic firms in producing another product in the United States. The reduction in costs represented by the tariff suspensions and reductions will help make those U.S. firms more competitive both here and abroad. These tariff changes are temporary for two basic reasons: (1) so they will not act as disincentives to any plans to produce these products domestically in the future; and (2) to retain U.S. trade negotiators' leverage in international negotiations by not giving away tariff reductions in the absence of matching concessions from our trading partners.

SUBTITLE A. AMENDMENTS TO THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Section 1001. Reference

This section applies to all other sections of this subtitle. It states that whenever an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section, chapter, subchapter, note, heading, subheading, or other provision, the reference shall be considered to be made to a section, chapter, subchapter, note, heading, subheading, or other provision of the HTS (19 U.S.C. 3007).

PART 1. PERMANENT CHANGES IN TARIFF TREATMENT

Section 1101. Gloves, mittens, and mitts

Prior to conversion from the Tariff Schedules of the United States (TSUS) to the HTS, ice and field hockey gloves were treated as sporting goods, not articles of apparel. The HTS now requires these products to be treated as apparel, with elimination of the duty-free treatment previously accorded to them. This section restores the previous duty-free treatment.

Section 1102. Certain chipper knife steel products

Under current law, imports of certain chipper knife steel products enter under HTS subheadings 7226.91.10 and 7226.91.30 with

column 1 rates of duty of 9.6 percent and 11.6 percent *ad valorem*, respectively. This section amends the HTS by establishing a new subheading for these chipper knife steel products (7226.91.05), with a zero rate of duty. This change corrects an inadvertent error in the classification of these products that occurred in the conversion to the HTS.

Section 1103. Bicycles having 26-inch wheels

Under current law, imports of bicycles having 26-inch wheels enter under HTS subheadings 8712.00.10 and 8712.00.20 with column 1 rates of duty of 11 percent *ad valorem*. This section permanently amends the HTS to correct the classification of bicycles having 26-inch wheels and provide a column 1 rate of duty of 5.5 percent *ad valorem*. This change corrects an error in converting from inches to centimeters in the change to the HTS.

Section 1104. Edible molasses containing nonsugar solids

Under current law, imports of certain edible molasses enter under HTS subheading 1702.90.40 with a column 1 rate of duty of 0.77 cents per liter; the subheading's products are currently subject to quota. This section restores the previous exemption from quotas for edible molasses containing more than 6 percent non-sugar solids.

Section 1105. Tobacco processed in a Caribbean Basin country

Under current law, tobacco grown in the United States, taken to a country eligible for duty-free treatment under the CBERA for processing, and returned does not qualify for duty-free treatment because (1) it is sufficiently advanced in value or improved in condition so as not to qualify as U.S. goods returned under HTS chapter 98, and yet (2) it is not "substantially transformed" in the CBERA-eligible country so as to satisfy that Act's rule of origin for duty-free treatment. This section amends chapter 24 of the HTS to clarify that such tobacco will be eligible for duty-free treatment under CBERA.

Section 1106. Articles exported and returned

Subheading 9802.00.60 of the HTS provides that the duty rates applicable to metal articles that are exported for processing and then returned to the United States for further processing will be assessed only on the value of the foreign processing. This section provides that such entries will not be exempted from the application of antidumping and countervailing duties or any duties and restrictions applicable under Chapter 1 of Title II, or Chapter 1 of Title III, of the Trade Act of 1974. The bill does not address the method by which such duties are calculated or assessed.

Section 1107. Brooms

This section is a technical correction which restores the tariff treatment of imported brooms made in part of broom corn to that which existed under the old TSUS. Under the TSUS, the tariff rate quota on corn brooms applied to brooms made "wholly or partly of broom corn." When the conversion was made to the new HTS, the words "wholly or partly" were inadvertently dropped. Although

there was no intent to change the tariff rate quota. Customs has resulted that, because of the wording change, brooms made only partly of broom corn are no longer subject to the tariff rate quota and may enter at a lower duty rate. This section revises the HTS provision to add back the text "wholly or partly" to ensure that the tariff-rate quota will apply to all brooms containing broom corn.

Section 1108. Foliage-type artificial flowers

Prior to conversion to the HTS, imports of artificial foliage made of man-made fibers were subject to the same duty (nine percent *ad valorem*), and classified under the same TSUS heading, as imports of artificial flowers. Because of an inadvertent change in the conversion to the HTS, Customs is now classifying imports of artificial foliage under an HTS subheading subject to a duty of 17 percent. This section clarifies that artificial foliage is classifiable under HTS subheading 6702.90.40 and thereby restores the previous duty treatment.

PART 2. TEMPORARY CHANGES IN TARIFF TREATMENT

Subpart A. Existing Provisions

Section 1201 extends until December 31, 1992, a number of existing temporary suspensions or reductions of customs duties, effective October 1, 1990, subject to the requirement that any hiatus in temporary treatment will be reliquidated at the temporary rates after the effective date of October 1, 1990. The Committee reviewed existing duty suspensions for which renewal was sought and found that those in section 1201 could be extended without substantial controversy and were in the public interest.

Section 1021(1). Fresh cantaloupes

Under current law, imports of fresh cantaloupes are classified under HTS subheading 0807.10.20 with a column 1 rate of duty of 35 percent *ad valorem,* but the duty is currently suspended under subheading 9902.08.07 until December 31, 1990. This subsection continues the current part-year duty suspension for fresh cantaloupes imported through December 31, 1992.

Sections 1201 (2), (4), (6), (12) through (21), (23), (24), (29), (30), and (36). Certain benzenoid dye intermediates

The benzenoid dye intermediates covered by these subsections are classified under a variety of HTS headings and all currently receive duty-free treatment under tariff suspensions expiring on December 31, 1990. These subsections extend the existing suspensions through December 31, 1992.

Sections 1201 (3) and (44). Dicofol and mixtures thereof

These subsections extend the current duty suspensions on the chemical dicofol, an agricultural miticide, and mixtures thereof. The current duty suspensions expire at the end of 1990. The otherwise applicable column 1 duty on dicofol is 7.2 percent *ad valorem* and the duty on mixtures is 1.8 cents per kilogram plus 9.7 percent *ad valorem.*

Section 1201(5). Triethylene glycol dichloride

Under current law, imports of triethylene glycol dichloride are classifiable under HTS subheading 2909.19.50, but received temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.11, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Sections 1201 (7) and (40). Dinocap

These subsections extend the current duty suspensions on the chemical dinocap and mixtures thereof, an agricultural fungicide-miticide. The current duty suspensions expire at the end of 1990. The otherwise applicable column 1 duty on dinocap is 3.7 percent *ad valorem* and the duty on dinocap mixtures is 1.8 cents per kilogram plus 9.7 percent *ad valorem.*

Section 1201(8). m-hydroxybenzoic acid

Under current law, imports of m-hydroxybenzoic acid are classifiable under HTS subheading 2918.29.10, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.21, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(9). d-6-methoxy-a-2-naphthaleneacetic acid

Under current law, imports of d-6-methoxy-a-methyl-2-naphthaleneacetic acid and its sodium salt enter under HTS subheading 2918.90.30 with a column 1 rate of duty of 6.8 percent *ad valorem*; this duty is currently suspended under HTS heading 9902.29.22 until December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(10). Triphenyl phosphate

Under current law, imports of triphenyl phosphate, a colorless, ordorless crystalline power used principally as a fire-retarding agent and as a plasticizer for cellulose acetate and nitrocellulose in photographic film manufacture (where it reduces the flammability of these films), enter under HTS subheading 2919.00.10 subject to a column 1 rate of duty of 0.2 cents per kilogram plus 17.7 percent *ad valorem.* It is eligible for duty-free treatment under the Generalized System of Preferences (GSP), CBERA, and the U.S.-Israel Free Trade Area Implementation Act of 1985. Information collected by the Committee indicates that domestic suppliers have manufactured the product for commercial sale only sporadically. This subsection extends an existing suspension of the column 1 rate of duty through December 31, 1992.

Section 1201(11). 3-amino-3-methyl-1-butyne

Under current law, imports of 3-amino-3-methyl-1-butyne are classified under HTS subheading 2921.19.50, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.24, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(22). Benzethonium cloride

Under current law, imports of benzethonium chloride enter under HTS subheading 2923.90.00 subject to a column 1 rate of duty of 6.2 percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.49, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(25). 2,2-bis(4-cyanatophenyl) propane

Under current law, imports of 2,2-bis(4-cyanatophenyl)propane enter under HTS subheading 2929.10.40 subject to a column 1 rate of duty of 13.5 percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.59, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(26). Triallate

Under current law, imports of triallate are classifiable under HTS subheading 2930.20.50, with a column 1 rate of duty 3.7 percent, but receive duty-free treatment for column 1 sources under HTS subheading 9902.29.60, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(27). Paraldehyde

Under current law, imports of paraldehyde enter under HTS subheading 2932.90.50 subject to a column 1 rate of duty of 3.7 percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.62, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(28). Aminomethylphenylpyrazole

Under current law, imports of aminomethylphenypyrazole enter under HTS subheading 2933.19.10 subject to a column 1 rate of duty of 5.8 percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.63, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(31). 3-methyl1-1-(p-tolyl)-2-pyrazolin-5-one (p-tolyl methyl pyrazolone)

Under current law, imports of 3-methyl-1-(p-tolyl)-2-pyrazoline-5-one (p-tolyl methyl pyrazolone) enter under HTS subheading 2933.19.40 subject to a column 1 rate of duty of 6.6 percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.67, expiring December 31, 1990. This subsection continues the current suspension through December 31, 1992.

Section 1201(32). 3-methyl-5-pyrazolone

Under current law, imports of 3-methyl-6-pyrazolone enter under HTS subheading 2933.19.50 subject to a column 1 rate of duty of 7.9

percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.69, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(33). Barbituric acid

Under current law, imports of barbituric acid enter under HTS subheading 2933.51.10 subject to a column 1 rate of duty of five percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.71, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(34). Terfenadone

Under current law, imports of 1-[4-(1,1-dimethylethyl)phenyl]-4-(hydroxy-diphenylmethyl)-1-piperidinyl-1 butanone (known as terfenadone) enter under HTS subheading 2933.90.37 subject to a column 1 rate of duty of 3.7 cents per kilogram plus 16.2 percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.74, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(35). 2-n-octyl-4-isothiazolin-3-one, and mixtures of 2-n-octyl-4-isothiazolin-3-one and application adjuvants

Under current law, imports of 2-n-octyl-4-isothiazolin-3-one, and mixtures of 2-n-octyl-4-isothiazolin-3-one and application adjuvants are classifiable under HTS subheadings 2934.10.50, 3808.90.20, and 3808.90.50, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.76, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(37). Nicotine resin complex

Under current law, imports of nicotine resin complex enter under HTS subheading 3004.40.00 subject to a column 1 rate of duty of 3.4 percent *ad valorem,* but imports of nicotine resin complex put in measured doses in chewing gum form receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.30.04, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(38). Methylene blue

Under current law, imports of methylene blue are classifiable under HTS subheading 3204.13.50, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.32.04, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(39). Metaldehyde

Under current law, imports of metaldehyde enter under HTS subheading 3606.90.60 subject to a column 1 rate of duty of five percent *ad valorem,* but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.36.06, expiring De-

cember 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(41). Mixtures of mancozeb and dinocap

Under current law, imports of mixtures of mancozeb and dinocap are classifiable under HTS subheading 3808.20.10, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.38.07, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(42). Mixtures of maneb, zineb, mancozeb, and metiram

Under current law, imports of mixtures of maneb, zineb, mancozeb, and metiram are classifiable under HTS subheading 3808.20.20, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.38.08, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(43). Mixtures of 5-chloro-2-methyl-4-isothiazolin-3-one, 2-methyl-4-isothiazolin-3-one, magnesium chloride, and stabilizers

Under current law, imports of mixtures of 5-chloro-2-methyl-4-isothiazolin-3-one, magnesium chloride, and stabilizers, whether or not containing application adjuvants, are classifiable under HTS subheading 3808.90.20, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.38.10, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(45). Crosslinked polyvinylbenzyltrimethyl-ammonium chloride (cholestyramine resin)

Cholestyramine resin is classified under HTS 3914.00.00, with a column 1 duty rate of 3.9 percent *ad valorem*, but currently receives duty-free treatment under a suspension expiring December 31, 1990. This subsection extends the existing suspension through December 31, 1992.

Sections 1201 (46), (49), (51), (55), and (56). Certain bicycle parts

Under current law, imports of certain bicycle parts enter under HTS heading 8714 with column 1 rates of duty ranging from 4.6 percent to 10 percent *ad valorem;* duties on some parts are currently suspended through December 31, 1990 under HTS subheadings 9902.40.11, 9902.73.12, 9902.73.15, 9902.85.12, and 9902.87.14. These subsections renew the current duty suspensions through December 31, 1992.

Section 1201(47). Certain wools

Under current law, imports of coarse wool are classifiable under HTS heading 5101, but receive temporary duty-free treatment for column 1 general and column 2 sources under HTS subheading 9902.51.01, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(48). Certain knitwear fabricated in Guam

Under current law, imports of certain knitwear fabricated in Guam receive temporary duty-free treatment under HTS subheading 9902.61.00, expiring October 31, 1992. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(49). Certain glass ceramic kitchenware

Under current law, imports of kitchenware of transparent, nonglazed glass ceramics enter under HTS treatment for column 1 sources under HTS subheading 9902.70.13, expiring December 31, 1990. This subsection continues the current duty suspension through December 31, 1992.

Section 1201(52). Machines designed for heat-set, stretch texturing of continuous manmade fibers

Under current law, imports of these machines enter under HTS subheading 9902.84.44, a temporary provision under which the product is subject to a column 1 rate of duty of zero. This subsection extends the suspension through December 31, 1992.

Section 1201(53). Circular knitting machines and parts

Cylinder and dial and double cylinder circular knitting machines and parts are provided for in HTS subheadings 8447.12.90, 8448.19.00, and 8448.59.10, with a column 1 rate of duty of 4.2 percent *ad valorem* for machines and 4.7 percent *ad valorem* for parts. A temporary duty suspension on these articles expired December 31, 1989. This subsection renews the temporary suspension of duty through December 31, 1992, and provides for reliquidation of entries and refund of duties for the period the suspension lapsed.

Section 1201(54). Knitting needles

Hosiery knitting needles are currently provided for in HTS subheadings 8448.51.10 and 8448.51.30, with column 1 duty rates of 10 percent *ad valorem* and 23 cents per 1,000 plus 8.2 percent *ad valorem*, respectively. They currently enter duty-free under HTS heading 9902.84.51 through December 31, 1990. This subsection extends the duty-free treatment through December 31, 1992.

Section 1202. Certain hosiery knitting machines

Under current law, hosiery knitting machines, including single cylinder fine-gauge and double cylinder, and parts thereof are provided for in HTS subheadings 8447.11.10, 8447.12.10, 8447.20.60, and 8448.59.10. The column 1 rates of duty range from 4.4 percent to 4.7 percent *ad valorem*. Single cylinder fine gauge and all double cylinder machines now receive temporary duty-free treatment expiring December 31, 1990. This section extends the duty-free treatment for these items, as well as providing duty-free treatment for single cylinder coarse gauge machines and parts of all these machines.

Section 1203. Parts and accessories of copying machines

Under current law, imports of electrostatic copying machine parts and accessories are classifiable under HTS subheading

9009.90.00, but receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.90.90, expiring December 31, 1990. This section continues the current duty suspension through December 31, 1992.

Section 1204. Toy jewelry, certain small toys, and novelty goods

Under current law, imports of certain imitation jewelry items and small toys and novelties receive temporary duty-free treatment for colum 1 sources under HTS subheading 9902.71.13, expiring December 31, 1990. This section revises and amends the product definition under the current duty suspension to raise the value limitations for duty-free imports. This section also continues the current suspension through December 31, 1992.

Section 1205. Jacquared cards

This section extends the existing duty suspension on jacquard cards, classified under HTS subheadings 4823.30.00, 3926.90.90, and 4823.90.85. These are cards made of paperboard or plastic-coated paperboard, which are perforated with a pattern of holes that can be read by a textile machine to create intricately designed woven fabrics. The current suspension expires on December 31, 1990. This section extends the suspension to December 31, 1992, and in addition, includes blank cards within the scope of the suspension. While some finished cards are produced in the United States, smaller textile companies that cannot justify the expensive computer equipment needed to finish the cards usually rely on outside sources; the unfinished cards are produced in only small quantities in the United States. In light of the presence of some domestic production, the Committee decided only a temporary suspension of both types of cards was justified.

Section 1206. C-Amines

Under current law, imports of 2-amino-5-chloro-4-methyl-benzenesulfonic acid and 2-amino-5-chloro-4-ethylbenzenesulfonic acid enter under HTS subheadings 2921.43.50 and 2921.49.50, respectively, subject to a column 1 rate of duty of 2.4 cents per kilogram plus 18.8 percent *ad valorem*. However, these products receive temporary duty-free treatment for column 1 sources under HTS subheading 9902.29.29, expiring December 31, 1990. This section repeals the temporary duty suspension.

Section 1207. Corned beef in airtight containers

Under current law, imports of corned beef in airtight containers enter under HTS subheading 1602.50.10 (duty rate of 7.5 percent *ad valorem*). This section provides column 1 duty-free treatment through December 31, 1992.

Section 1208. Menthol feedstocks

Under current law, imports of menthol feedstocks are classified under HTS subheading 2906.19.00 with a column 1 rate of duty of 7.1 percent *ad valorem*, but enter duty-free under HTS subheading 9902.29.05 until December 31, 1990. This section continues the duty-free treatment through December 31, 1992.

Section 1209. Surgical gowns and drapes

Under current law, imports of certain surgical gowns and drapes are subject to a temporary duty reduction under HTS heading 9902.62.10. This section amends the product coverage and continues the current duty reduction through December 31, 1992.

Subpart B. New Provisions

Section 1301. Calcium acetylsalicylate (calcium carbaspirin)

Under current law, imports of calcium carbaspirin, an analgesic derivative of aspirin, enter under HTS subheading 2918.22.50 with a column 1 rate of duty of 6.8 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1302. Bendiocarb

Under current law, imports of bendiocarb, an insecticide used to control insects such as cockroaches, fleas and termites, enter under HTS subheading 2932.90.10 with a column 1 rate of duty of 6.8 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1303. Certain glass bulbs

Under current law, imports of monochrome glass bulbs for cathode ray tubes used in word processors, computer terminals, etc., enter under HTS subheading 7011.20.00 with a column 1 rate of duty of 6.6 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1304. Octadecyl isocyanate

Under current law, imports of octagecyl isocyanate, a specialty chemical with major uses in adhesive tapes, enter under HTS subheading 2929.10.40 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1991. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1305. Molten-salt-cooled acrylic acid reactors

Under current law, imports of molten-salt-cooled acrylic acid reactors, a type of equipment used by the chemical industry to convert propylene into acrylic acid, enter under HTS subheadings 8419.89.50, 8419.90.30, or 8419.90.90 with column 1 rates of duty of 4.2 percent *ad valorem*. This section suspends the column 1 rates of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1306. Dimethylbenzylidene sorbitol (DMBS)

DMBS, an aromatic intermediate chemical, is currently classified in HTS subheading 2932.90.41, at a column 1 duty rate of 13.5 percent *ad valorem*. This section temporarily suspends the column 1 rate through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1307. 4,4'-Isopropylidenedicyclohexanol

This chemical intermediate is currently classified in HTS subheading 2932.90.41, with a column 1 rate of duty of 13.5 percent *ad valorem*. This section temporarily suspends the column 1 rate through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1308. Sulfachloropyridazine

Under current law, imports of sulfachloropyridaznine, a powder used in producing sulfa drugs, enter under HTS subheading 2935.00.39 with a column 1 rate of duty of 10.8 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1309. Thiothiamine hydrochloride

Under current law, imports of thiothiamine hydrochloride, used in the production of vitamin B1, enter under HTS subheading 2934.10.50 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1310. Paramine acid

Under current law, imports of paramine acid, used in making a dye to color paper, enter under HTS subheading 2921.59.50 with a column 1 rate of duty of 2.4 cents per kilogram plus 18.8 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1311. Sucralfate

Under current law, imports of sucralfate enter under HTS subheading 2940.00.00 subject to a column 1 rate of duty of 5.8 percent *ad valorem*. Recently, Marion Laboratories merged with Merrill Dow Pharmaceuticals resulting in a new company, Marion Merrill Dow, Inc., an international pharmaceutical manufacturer. To enhance the overall competitiveness of the new company, it wants to be able to import duty-free raw pharmaceutical ingredients not manufactured in the United States. Sucralfate is a patented pharmaceutical for which Marion Merrill Dow states there is no exact

equal manufactured in the United States, and it is the active ingredient in the only pharmaceutical used for the short-term treatment of duodenal ulcers. This section suspends the column 1 rate of duty through December 31, 1992.

Section 1312. Anthraquinone

Under current law, imports of anthraquinone, which is used in the pulping operations of the domestic paper manufacturing industry, enter under HTS subheading 2914.61.00 with a column 1 rate of duty of 11 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1313. Theobromine

Under current law, imports of theobromine, the active ingredient in a product used to treat arterial disease, enter under HTS subheadings 2939.90.50 or 2939.90.10 with column 1 rates of duty of 3.7 or 1.8 percent *ad valorem*, respectively. This section suspends the column 1 rates of duty through December 31, 1992. There is no domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1314. Chlorhexanone

Under current law, imports of chlorhexanone, a chemical intermediate used in the production of a drug used to treat heart disease, enter under HTS subheading 2914.70.50 with a column 1 rate of duty of 4 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1315. Naphthalic acid anhydride

Under current law, imports of naphthalic acid anhydride, a chemical used in the production of pigments used in automobile paint, enter under HTS subheading 2917.39.10 with a column 1 rate of duty of 6.9 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1316. K-Acid

Under current law, imports of K-acid, an aromatic intermediate chemical used in the manufacture of certain reactive dyes, enter under HTS subheading 2922.21.20 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1317. Broenner's acid

Under current law, imports of Broenner's acid, an aromatic intermediate chemical used in the manufacture of certain dyes, enter under HTS subheading 2921.45.50 with a column 1 rate of duty of

2.4 cents per kilogram plus 18.8 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1318. D Salt

Under current law, imports of D salt, an aromatic intermediate chemical used in the manufacture of certain dyes, enter under HTS subheading 2921.45.50 with a column 1 rate of duty of 2.4 cents per kilogram plus 18.8 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1319. Neville and winter's acid

Under current law, imports of Neville and Winter's acid, aromatic intermediate chemicals used in the manufacture of certain dyes, enter under HTS subheading 2908.20.10 with a column 1 rate of duty of 6.4 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of these products, and the Committee is aware of no opposition to the duty suspension.

Section 1320. Anis base

Under current law, imports of anis base, an aromatic intermediate chemical used in the production of certain azo-pigments, enter under HTS subheading 2924.29.25 with a column 1 rate of duty of 12.5 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1321. Naphthol AS types

Under current law, imports of naphthol AS, aromatic intermediate synthetic organic chemicals used as coupling agents in the production of azo-pigments, enter under HTS subheading 2924.29.14 with a column 1 rate of duty of 14 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1322. Ceftazidime tertiary butyl ester

Under current law, imports of ceftazidime tertiary butyl ester, an intermediate product used in making an antibiotic, enter under HTS subheading 2934.90.25 with a column 1 rate of duty of 13.5 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1323. Certain plastic web sheeting

Under current law, imports of non-woven fiber sheet of polyester fibers enter under HTS subheading 5603.00.90 with a column 1 rate of duty of 12.5 percent *ad valorem.* This section is drafted to apply

solely to a particular type of plastic web sheeting, known as awa paper. It is used in the filter element of water purification systems. This section suspends the column 1 rate of duty through December 31, 1992. Although there is domestic production of similar products, the record before the Committee indicates that the specific sheeting covered by this section is not made in the United States.

Section 1324. Magnetic video tape recordings

Under current law, imports of pre-recorded magnetic videotapes enter under HTS subheading 8524.23.10 with a column 1 rate of duty of $0.0066 per linear meter (yielding $1.60 per "standard" cassette). Duties on these items had been suspended entirely under terms of the Nairobi Protocol between 1983 and 1987. This section suspends the column 1 rate of duty on magnetic videotape recordings of a width exceeding 6.5 millimeters, but not exceeding 16 millimeters, in cassettes of U.S. origin, valued at not over $7.00 per cassette, through December 31, 1992. The Committee is aware of no opposition to the duty suspension from any domestic producer.

Section 1325. Mixed ortho/para toluenesulfonamide

Under current law, imports of mixed ortho/para toluene sulfonamide, used in making fluorescent pigments, decorative laminates, and other goods, enter under HTS subheading 2935.00.47 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1326. 2,6-Dichlorobenzonitrile

Under current law, imports of mixtures of 2,6-dichlorobenzonitrile and inert substances, used in a herbicide used on broadleaf weeds, enter under HTS subheading 2926.90.10 with a column 1 rate of duty of 6.8 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1327. 1-[1-((4-Chloro-2-(trifluoromethyl)phenyl)imino)-2-propoxyethyl]-1-h-imidazole

This pesticide chemical is currently classified under HTS subheading 2933.29.30, with a column 1 rate of duty of 13.5 percent *ad valorem*. This section temporarily suspends the column 1 rate through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1328. Certain Christmas ornaments

Under current law, imports of Christmas ornaments other than ornaments of glass or wood enter under HTS subheading 9505.10.25 with a column 1 rate of duty of 5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. Although there is some domestic production of these products, no opposition was made to this section during the Committee's deliberations.

Section 1329. Frozen carrots

Under current law, frozen carrots that are not reduced in size are provided for in HTS subheading 0710.80.70 with a column 1 rate of duty of 25 percent *ad valorem.* This section temporarily reduces the column 1 rate for frozen carrots to correspond to the rate for fresh or chilled carrots provided in HTS subheading 0706.10.10 (2.2 cents per kilogram). The Committee is aware of no opposition to the duty reduction.

Section 1330. Impact line printers

Under current law, imports of impact line printers, used for high-speed computer output printing, enter under HTS subheading 8471.92.65 with a column 2 rate of duty of 35 percent *ad valorem.* This section reduces the column 2 rate of duty to 3.75 percent *ad valorem* through December 31, 1992. Other than some limited captive production, there is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Sections 1331 through 1353. Certain chemicals

The chemicals covered by these sections are aromatic intermediate chemicals used as precursors to specific dyes used in the textile, paper, leather, food, and paint industries. They currently are classified under of variety of HTS headings with varied column 1 duty rates of duty. This section temporarily suspends the column 1 rates on these products through December 31, 1992. There is no current domestic production of these products, and the Committee is aware of no opposition to the duty suspensions.

Section 1354. Castor oil and its fractions

Under current law, imports of castor oil and its fractions enter under HTS subheading 1515.30.00 with a column 1 rate of duty of 3.3 cents per kilogram. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1355. 0,0-Dimethyl-S-[(4-oxo-1,2,3-benzotriazin-3-(4h)-yl)methyl] phosphorodithioate

This pesticide is classifed currently under HTS subheading 2933.90.18, with a column 1 rate of duty of 12.5 percent *ad valorem.* This section temporarily suspends the column 1 rate through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1356. Suspension of duty on certain machines for use in the manufacture of wheels for bicycles and on certain bicycle parts

Under current law, imports of machines used in the manufacture of bicycle parts and certain bicycle parts enter under HTS headings 8479 and 8714 with column 1 rates of duty ranging from 3.7 percent to 10 percent *ad valorem*; duties on some parts are currently suspended through December 31, 1990. This section suspends the

column 1 rates of duty on certain bicycle parts and machines through December 31, 1992. There is no current domestic production of these products, and the Committee is aware of no opposition to the duty suspension.

Section 1357. L-alanyl-L-proline (ala pro)

Under current law, imports of ala pro, used as an intermediate in the production of an anti-hypertensive drug, enter under HTS subheading 2933.90.50 with a column 1 rate of duty of 7.9 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1358. Tfa lys pro in free base and tosyl salt forms

Under current law, imports of tfa lys pro, a white powder used as a chemical intermediate in the synthesis of a patented anti-hypertensive drug, in free base and tosyl salt forms enter under HTS subheadings 2922.49.50 and 2922.49.30 with a column 1 rate of duty of 3.7 and 13.5 percent *ad valorem*, respectively. This suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1359. Certain timing apparatus

This section applies to time of day recording apparatus with watch or clock movements, battery or AC-powered, with opto-electronic displays only. Under current law, imports of time-of-day recording apparatus enter under HTS subheading 9106.90.80 with a column 1 rate of duty of 45 cents plus 7 percent *ad valorem* plus 2.5 cents per jewel. This section temporarily restores the column 1 rate of duty to 3.9 percent *ad valorem*, on timers and clock timers, plus 5.3 percent *ad valorem* on the battery, as previously provided under the TSUS (on December 31, 1988) through December 31, 1992. There are few, if any, domestic producers of the products covered by this section, and the Committee is aware of no opposition.

Section 1360. Ciprofloxacin hydrochloride, ciprofloxacin, and nimodipine

Under current law, imports of both ciprofloxacin and ciprofloxacin hydrochloride, active ingredients in an antibacterial agent, enter under HTS subheading 2933.59.27 with column 1 rates of duty of 8.1 percent *ad valorem.* This section suspends the column 1 rates of duty through December 31, 1992. There is no current domestic production of these products, and the Committee is aware of no opposition to the duty suspension.

Under current law, imports of nimodipine, the active ingredient in a calcium channel blocking agent used in the treatment of a rare brain condition, enter under HTS subheading 2933.39.35 with a column 1 rate of duty of 8 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1361. Certain furniture and seats

Under current law, imports of furniture and seats of unspun fibrous vegetable materials enter under HTS subheadings 9401.50.00, 9401.90.25, 9403.80.30, and 9403.90.25 with column 1 rates of duty of 7.5 percent *ad valorem.* This section suspends the column 1 rates of duty through December 31, 1992. There is some domestic production of the products covered by this section, but no opposition was submitted to the Committee with regard to it.

Section 1362. Wicker products

Under current law, imports of the wicker products covered by this section enter under HTS subheadings 4602.10.11, 4602.10.13, 4602.10.19, 4602.10.40, or 4602.10.50 with column 1 rates of duty ranging from 3 percent to 10 percent *ad valorem.* The covered products are a wide variety of articles made of vegetable plaiting materials, primarily baskets and bags, but not including luggage, handbags, and flat goods. This section temporarily suspends the column 1 rates of duty through December 31, 1992. There is some domestic production of the products covered by this section, but no opposition was submitted to the Committee with regard to it.

Section 1363. (6R-(6A,7B(Z)))-7-(((2-Amino-4-thiazolyl) ((carboxymethoxy) imino) acetyl) amino)-3-ethenyl-8-oxo-5-thia-1-azabicyclo-(4.2.0) oct-2-ene-2-carboxylic acid (cefixime)

Under current law, imports of cefixime, the active ingredient in an antibiotic used to treat ear infections and bronchitis, are classified under HTS subheading 2941.90.50 with a column 1 rate of duty of 3.7 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1364. N-(4-(((2-Amino-5-formyl-1,4,5,6,7,8-hexahydro-4-oxo-6-pteridinyl) methyl)amino) benzoyl)-1-glutomic acid

Under current law, imports of N-(4-(((2-amino-5-formyl-1,4,5,6,7,8-hexahydro-4-oxo-6-pteridinyl) methyl) amino) benzoyl)-L-glutomic acid, which is used primarily to reduce the toxicity and offset unintentional overdoses of folic acid antagonists, enter under HTS subheading 2936.29.20 with a column 1 rate of duty of 6.9 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1365. Norfloxacin

Under current law, imports of norfloxacin, the active ingredient in a synthetic, broad-spectrum antibacterial agent, enter under HTS subheading 2933.59.27 with a column 1 rate of duty of 8.1 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1366. 2,2-Dimethylcyclopropylcarboxamide

Under current law, imports of 2,2-dimethylcyclopropylcarboxamide, also known as D-carboxamide, enter under HTS subheading 2924.29.50 subject to a column 1 rate of duty of 7.9 percent *ad valorem*. D-carboxamide is a white powder used as a chemical intermediate in the synthesis of two patented antibiotics. This section adds a new HTS subheading 9902.30.61 suspending the column 1 rate of duty through December 31, 1992. There is not current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1367. Amiloride hydrochloride

Under current law, imports of amiloride hydrochloride, a diuretic pharmaceutical agent, enter under HTS subheading 2933.90.36 with a column 1 rate of duty of 6.9 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1368. Chemical light activator blend

Under current law, imports of this chemical light activator blend, a peroxide of polycarboxylic acid treated as a plasticizer, enter under HTS subheading 3823.90.29 with a column 1 rate of duty of 3.7 cents per kilogram plus 17.7 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1369. Gripping narrow fabrics

Under current law, imports of fastener fabric tapes of manmade fibers enter under HTS subheading 5860.10.20 with a column 1 rate of duty of 9.5 percent *ad valorem*. This section reduces the column 1 rate of duty to 7 percent *ad valorem* through December 31, 1992. Although there is some domestic production of the products covered by this section, the Committee is aware of no opposition to it.

Section 1370. BPIP

Under current law, imports of BPIP, an intermediate and raw material used in certain ultraviolet light stabilizing plastics additives, enter under HTS subheading 2933.39.47 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1371. MBEP

Under current law, imports of MBEP, an organic chemical used in the manufacture of a patented antioxidant chemical, enter under HTS subheading 2907.19.50 with a column 1 rate of duty of 7.2 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1372. 2-Ethylanthraquinone

Under current law, imports of 2-ethylanthraquinone, an intermediate chemical used in the production of hydrogen peroxide, enter under HTS subheading 2914.69.50 with a column 1 rate of duty of 11 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1373. Rhodamine 2C base

Under current law, imports of rhodamine 2C base, a chemical intermediate used in the production of red dyes and pigments, enter under HTS subheading 2932.90.45 with a column 1 rate of duty of 3.7 cents per kilogram plus 16.2 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Sections 1374 and 1375. Polymin P, Polymin P hydrochloride, and Polymin SNA 60

Under current law, imports of polymin P, polymin P hydrochloride, and Polymin SNA 60 enter under HTS subheadings 3911.90.50 and 3908.90.00 with column 1 rates of duty of 3.7 cents per kilogram plus 16.2 percent *ad valorem* and 5.8 percent *ad valorem*, respectively. Polymin P and polymin P hydrochloride are used in the lamination of paper boards, adhesives, and inks, as a coating in textiles, and as a flocculent for enzyme removal. Polymin SNA 60 is a polymeric chemical intermediate used in the production of more complex polymers. These sections suspend the column 1 rates of duty through December 31, 1992. There is no current domestic production of these products, and the Committee is aware of no opposition to the duty suspensions.

Section 1376. Ornithine

Under current law, imports of L-ornithine, a non-essential amino acid used typically as a therapeutic nutrient and anti-cholesteremic, enter under HTS subheading 2922.49.50 with a column 1 rate of duty of 3.7 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1377. Teicoplanin

Under current law, imports of teicoplanin, a patented antibiotic used to treat staphylococcus infections, enter under HTS subheading 3004.20.00 with a column 1 rate of duty of 3.7 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1378. Acetoacet-para-toluidide (AAPT)

Under current law, imports of AAPT, an intermediate used in the production of light-fast, yellow organic pigments and as a diazo coupler, enter under HTS subheading 2924.29.09 with a column 1 rate of duty of 5.8 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1379. Acetoacetsulfanilic acid, potassium salt

Under current law, imports of acetoacetsulfanilic acid, an organic chemical used as an intermediate in the production of certain organic pigments, enter under HTS subheading 2924.29.40 with a column 1 rate of duty of 13.5 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1380. 6-Methyluracil

Under current law, imports of 6-methyluracil, an organic chemical used as an intermediate in the manufacture of certain photographic chemicals, enter under HTS subheading 2933.59.50 with a column 1 rate of duty of 7.9 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1381. Ethyl 2-(2-aminothiazol-4-yl)-2-hydroxyiminoacetate (ATHAET)

Under current law, imports of ATHAET, an organic chemical used as an intermediate in the production of certain pharmaceutical products, enter under HTS subheading 2934.10.50 with a column 1 rate of duty of 7.9 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to this duty suspension.

Section 1382. Ethyl 2-(2-aminothiazol-4-yl)-2-methoxyiminoacetate (ATMAET)

Under current law, imports of ATMAET, an organic chemical used as an intermediate in the production of certain pharmaceutical products, enter under HTS subheading 2934.10.50 with a column 1 rate of duty of 7.9 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1383. 4,4'-Methylene-bis-(2,6-dimethylphenylcyanate)

Under current law, imports of 4,4'-methylene-bis-(2,6-dimethylphenylcyanate), an organic chemical used in the manufacture of polymer resins used in making high-technology printed circuit boards, enter under HTS subheading 2907.29.50 with a column 1 rate of duty of 7.2 percent *ad valorem.* This section suspends the

column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1384. 2,2'-Bis-(4-cyanatophenyl)-1,1,1,3,3,3-hexafluoropropane

Under current law, imports of 2,2'-bis-(4-cyanatophenyl)-1,1,1,3,3,3-hexafluoropropane, an organic chemical primarily used as an intermediate in the manufacture of certain plastics resins, enter under HTS subheading 2929.90.10 with a column 1 rate of duty of 13.5 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1385. 4,4'-Thiodiphenyl cyanate

Under current law, imports of 4,4'-thiodiphenyl cyanate, an organic chemical primarily used as an intermediate in the manufacture of certain plastics resins, enter under HTS subheading 2930.90.20 with a column 1 rate of duty of 6.7 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1386. 1,1-Ethylidene-bis-(phenyl-4-cyanate)

Under current law, imports of 1,1-ethylidene-bis-(phenyl-4-cyanate), an organic chemical primarily used as an intermediate in the manufacture of certain plastics resins, enter under HTS subheading 2929.90.10 with a column 1 rate of duty of 13.5 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1387. Hydrocarbon novolac cyanate ester

Under current law, imports of hydrocarbon novolac cyanate ester, used as a high performance thermoset polymer resin in the manufacture of certain specialty plastics resins used to make printed wireboards, enter under HTS subheading 3911.90.30 with a column 1 rate of duty of 5.8 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1388. 4,4'-Methylene-bis-(3-chloro-2,6-diethyl aniline)

Under current law, imports of 4,4'-methylene-bis-(3-chloro-2,6-diethyl aniline), an organic chemical used as a curing agent in the manufacture of molded polyurethane products, enter under HTS subheading 2921.42.30 with a column 1 rate of duty of 13.5 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1389. 4,4'-Methylene-bis-(2,6-diisopropyl aniline)

Under current law, imports of 4,4'-methylene-bis-(2,6-diisopropyl aniline), an organic chemical used as a curing agent in the manufacture of molded polyurethane products, enter under HTS subheading 2921.42.50 with a column 1 rate of duty of 2.4 cents per kilogram plus 18.8 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1390. L-Carnitine

Under current law, imports of L-carnitine, used principally as a nutritional additive to certain baby foods, enter under HTS subheading 2923.90.00 with a column 1 rate of duty of 6.2 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1391. Diphenolic acid

Under current law, imports of diphenolic acid, a synthetic organic chemical used principally as a modifier for tall oil based polyamides used in printing inks for carbonless paper, enter under HTS subheading 2918.29.40 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1991.

Section 1392. 2,6-HNA

Under current law, imports of the chemical 6-hydroxy-2-naphthoic acid (also known as 2,6-HNA), used to produce a proprietary liquid-crystal resin, enter under HTS subheading 2918.19.50 subject to a column 1 rate of duty of 3.7 cents per kilogram plus 17.9 percent *ad valorem*. The chemical 2,6-HNA is used to produce a proprietary liquid-crystal resin. This section adds a new HTS subheading 9902.30.84 suspending the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1393. ADC–6

Under current law, imports of ADC–6, an intermediate chemical used to produce imipenem (an ingredient in patented intravenous antibiotics), enter under HTS subheading 2922.50.50 with a column 1 rate of duty of 7.9 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1394. Diflunisal

Under current law, imports of diflunisal, the active ingredient in a non-steroidal anti-inflammatory analgesic used for the relief of mild to moderate pain, enter under HTS subheading 2918.29.40 with a column 1 rate of duty of 13.5 percent *ad valorem*. This sec-

tion suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1395. Trifluoromethylaniline

Under current law, imports of trifluoromethylaniline, used princially in a pre-emergent herbicide, enter under HTS subheading 2921.43.50 with a column 1 rate of duty of 2.4 cents per kilogram plus 18.8 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1396. Tamoxifen citrate

Under current law, imports of tamoxifen citrate enter under HTS subheading 2922.19.10 with a column 1 rate of duty of 6.6 percent *ad valorem.* This product is a non-steroidal anti-estrogen; its major use is in the treatment of advanced breast cancer in postmenopausal women. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1397. Fenofibrate

Under current law, imports of isopropyl 2-[4-(4-chlorobenzoyl)phenoxy]-2-methylpropionate (fenofibrate) enter under HTS subheading 3004.90.60 subject to a column 1 rate of duty of 6.3 percent *ad valorem.* Fenofibrate is a non-systemic serum cholesterol-lowering fiber product currently pending approval before the Food and Drug Administration. This section adds a new HTS subheading 9902.30.89 suspending the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1398. 6-T-Butyl 2,4 xylenol

Under current law, imports of 6-t-butyl-2,4-xylenol, used in the manufacture of an anti-oxidant that imparts greater durability to polyolefins during processing to give longer life to products such as carpeting and sport stadium seats, enter under HTS subheading 2907.19.50 with a column 1 rate of duty of 7.2 percent *ad valorem.* This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product, and the Committee is aware of no opposition to the duty suspension.

Section 1399. 2,4-Diamino-6-phenyl-1,3,5-triazine

Under current law, imports of 2,4-diamino-6-phenyl-1,3,5-triazine, a resin modifier used in a series of methylated benzoguanamine cross-linking coating resins, enter under HTS subheading 2933.69.00 with a column 1 rate of duty of 3.5 cents per kilogram. This section suspends the column 1 rate of duty through December 31, 1992. There is no current domestic production of this product,

and the Committee is aware of no opposition to the duty suspension.

Sections 1400, 1401, and 1403. Iopamidol, Iohexol, and Ioxaglate

Sections 1400, 1401, and 1403 of the bill apply, respectively, to iopamidol, iohexol, and ioxaglate. These three products are diagnostic imaging agents—dyes intended to be injected into a medical patient to help physicians visualize organs and tissues. They are used primarily in cardiology and radiology. The U.S. companies that are the license holders for these products (iopamidol—Bristol-Myers Squibb Co.; iohexol—Sterling Drug, Inc.; and ioxaglate—Mallinckrodt Medical, Inc.) import bulk product from respectively, a Norwegian, Italian, and French company. There were no objections to enactment of temporary suspensions for any of the products.

Under current law, imports of iopamidol enter under HTS subheading 2924.29.40 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1991.

Under current law, imports of iohexol enter under HTS subheading 2924.29.40 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1991.

Under current law, imports of ioxaglate enter under HTS subheading 2924.29.40 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section suspends the column 1 rate of duty through December 31, 1991.

Section 1402. p-Hydroxybenzaldehyde

The chemical, p-hydroxybenzaldehyde, is most often used as an intermediate chemical to produce flavor and fragrance chemicals, but the suspension of the duty is now sought for use in producing a feed supplement for hogs. Under current law, imports of this chemical enter under HTS subheading 2912.49.20, a residual classification under which enter other aromatic aldehyde-ethers and aldehyde-phenols subject to a column 1 rate of duty of 11.9 percent *ad valorem*. This section suspends the column 1 rate of duty from October 1, 1990 through December 31, 1992.

Section 1404. 7-Acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene

Under current law, imports of 7-acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene, known by two trade names, fixolide and tonalid, enter under HTS subheading 2914.30.00 subject to a column 1 rate of duty of 11.9 percent *ad valorem*. It is a synthetic musk, used as an ingredient in fragrance oils, which are, in turn used in detergent formulations because of its behavior with respect to fibers. This section suspends the column 1 rate of duty through December 31, 1992. There was no opposition to this section.

Section 1405. Modeling pastes

Modeling pastes encompass a range of clay-like materials, often containing an oil binder to lubricate the clay so it will remain flexible. The pastes are sold for children's toys, artists' studios, and even industrial purposes. Prior to the institution of the conversion of the TSUS to the internationally consistent HTS format, these

products were dutiable at 3.7 percent *ad valorem*, but as of the date of the conversion, January 1, 1989, the product enters under HTS subheading 3407.00.00 with a column 1 rate of duty of 10 percent *ad valorem*. This section reduces the current duty by creating a new subheading (3407.00.10) with a column 1 rate of 3.7 percent *ad valorem*, the previous rate, through December 31, 1992. There was no opposition to the temporary suspension.

Section 1406. Mercuric oxide

Mercuric oxide is a water soluble powder used, in its denser, coarser red-colored form, as a cathode in premium batteries, which require a high degree of compactness, as in batteries for hearing aids, cardiac pacemakers, and electronic watches. In other forms, mercuric oxide is used as an antiseptic, a fungicide, and for other purposes. Until recently, several types of mercuric oxide, including the battery-grade product, were manufactured in the United States, but production ceased in 1988, primarily because of environmental costs. The Committee's research showed one company still produces mercuric oxide, but it uses all it produces, and there is no opposition to the provision. Under current law, imports of mercuric oxide enter under HTS subheading 2825.90.60 with a column 1 rate of duty of 3.7 percent *ad valorem*. This section suspends the column 1 rate of duty through december 31, 1992.

Section 1407. 2,3,6-Trimethylphenol (TMP)

Under current law, imports of TMP, used mainly as an intermediate in the manufacture of synthetic vitamin E, enter under HTS subheading 2907.19.50 subject to a column 1 rate of duty of 7.2 percent *ad valorem*. According to the ITC, the only U.S. producer of this chemical discontinued production in May 1983. There were no objections to a suspension effective October 1, 1990 and terminating December 31, 1992.

Section 1408. Protective sports apparel

Under current law, imports of protective sports articles of textile materials enter under HTS subheadings 6201.93 and 6203.43 with column 1 rates of duty ranging from 7.6 percent to 62.9 cents per kilogram plus 21 percent *ad valorem*. Through December 31, 1992, this section reduces the column 1 rates of duty to apply the same rates of duty that applied to such goods before January 1, 1989.

Section 1409. 1,5 Naphthalene diisocyanate (NDI)

1,5 Naphthalene diisocyanate, or NDI, the subject of this section, is used to make synthetic (polyurethane) rubbers with resistance to water and heat, such as high performance shock absorbers of newly designed models of front-wheel drive automobiles. NDI is not produced in the United States and is used by only one company; there are other products made in the United States which can substitute for NDI, but those producers have not objected to the provision. Under current law 1,5 Naphthalene diisocyanate is classified under HTS subheading 2929.10.40 with a column 1 rate of duty of 13.5 percent *ad valorem*. This section provides for the temporary suspension of the column 1 duty through December 31, 1992.

Section 1410. Self-folding telescopic shaft, collapsible umbrellas

Self-folding collapsible umbrellas are made inexpensively, mostly in East Asia, from materials found commonly worldwide. While there are umbrella manufacturers in the United States, they do not make this type of umbrella (they make so-called stick umbrellas, such as golf umbrellas, which, incidentally, they assemble from imported parts). According to the ITC, some of the lower-priced stick umbrellas compete with the self-folding collapsibles, yet no umbrella manufacture objected to the provision. The American Textiles Manufacturers Institute did object to the provision, on the ground the self-folding collapsibles used a nylon taffeta that is made in the United States, but a temporary suspension should not hurt the domestic producers of nylon taffeta; the umbrella is not currently produced in the United States with U.S. textile material.

Self-folding, collapsible umbrellas are currently classified in HTS subheading 6601.91.00, at a column 1 rate of duty of 8.2 percent *ad valorem.* This section provides for the temporary suspension of the column 1 duty through December 31, 1992.

Section 1411. 1,6-Hexamethylene diisdocyanate

Hexamethylene diisocyanate, or HDI, exists in several grades that impart desirable characteristics to specialty plastic resins used in coatings for the surface finishes of automobiles. As a result of the conversion to HTS format for the TSUS, the duty on this product increased from 7.9 percent *ad valorem.* This product is manufactured in the United States by one producer, a subsidiary of a West German corporation, but that producer announced at the end of February of this year that it no longer opposed the provision as it is here favorably reported. Under current law, imports of 1,6-hexamethylene diisocyanate enter under HTS subheading 2929.10.50 with a column 1 rate of duty of 2.9 cents per kilogram plus 16.2 percent *ad valorem.* This section lowers the column 1 rate of duty through December 31, 1992 to 7.9 percent.

Section 1412. Certain in-line roller skate boots

Roller skates consist of boots with skates attached. These are imported, mostly from Taiwan, as "sports equipment," HTS subheading 9506.70.20, free of duty. A U.S. company currently manufactures skates and attaches them to boots, but in doing so it finds itself at a commercial disadvantage because boots without skates attached are classified as sports footwear with outer soles and uppers of rubber or plastics under HTS 6402.19.10, subject to a duty of 6 percent *ad valorem.* This phenomenon, known as tariff inversion, puts the U.S. production of components at risk. Therefore, the Committee approved a temporary suspension of the duty on boots without skates attached, provided the boots are actually used in the manufacture of roller skates.

Section 1413. Certain veneer

Since 1981, most wood veneer has been duty-free, but veneer produced from blocks of wood veneer sheets which are made from logs and flitches do not receive this duty-free treatment. Under current law, imports of such veneers enter under HTS subheading

4421.90.90 subject to a column 1 rate of duty of 5.1 percent *ad valorem*. This section suspends the column 1 rate of duty from October 1, 1990 through December 31, 1992.

Section 1414. lp-Tolualdehyde

Under current law, imports of p-tolualdehyde enter under HTS subheading 2912.30.07 subject to a column 1 rate of duty of 11.4 percent *ad valorem*. This product is used to make sorbitol, which is used to improve the clarity of polypropyloene products. No objections were received with respect to this section. It suspends the column 1 rate of duty through December 31, 1992.

Section 1415. Diltiazem hydrochloride and sustained release diltiazem hydrochloride

Under current law, imports of diltiazem hydrochloride and sustained release diltiazem hydrochloride enter under HTS subheadings 2940.00.0000, 3004.90.6020, and 3003.90.0000, respectively, subject to column 1 rates of duty of 6.9, 6.3, and 6 percent *ad valorem*, respectively. According to the company seeking the suspensions, diltiazem hydrochloride is the active ingredient in pharmaceuticals used to treat angina, hypertension and related problems. The product is patented. This section suspends the column 1 rate of duty through December 31, 1992. There was no opposition to the provision.

Section 1416. Clentiazim

Clentiazim is a pharmaceutical under development which it is hoped would have the advantages of currently-available agents to dilate blood vessels in medical patients, plus the advantage of greater duration than currently-available pharmaceuticals. Under current law, imports of clentiazim enter under HTS subheading 2934.90.25 subject to a column 1 rate of duty of 6.9 percent *ad valorem*. This section adds a new HTS subheading 9902.31.04 suspending the column 1 rate of duty through December 31, 1992. No objection was received to temporarily reducing the rate to zero.

Section 1417. Personal effects and equipment of participants and officials involved in the 1990 Goodwill Games

This section adds a new HTS subheading to provide duty-free entry for the personal effects of participants and officials involved in the 1990 Goodwill Games to be held in Washington State, and for equipment for use in connection with such games. The section is effective through September 30, 1990. On Februry 13, 1990, the Committee asked for comment on this provision, and no opposition appeared by the close of the comment period.

Section 1418. Copper acetate monohydrate

Under current law, imports of copper acetate monohydrate enter under HTS subheading 2915.29.00 subject to a column 1 rate of duty of 2.8 percent *ad valorem*. This section adds a new HTS subheading 9902.31.05 suspending the column 1 rate of duty through December 31, 1992. On February 13, 1990, the Committee asked for comment on this provision, and no opposition appeared by the close of the comment period.

Section 1419. Parts of generators for use on aircraft

Under current law, imports of parts of generators for use on aircraft enter under HTS subheading 8503.00.60 subject to a column 1 rate of duty of 3 percent *ad valorem*. This section adds a new HTS subheading 9902.85.03 suspending the column 1 rate of duty through December 31, 1992. On February 13, 1990, the Committee asked for comment on this provision, and no opposition appeared by the close of the comment period.

Section 1420. Certain infant nursery monitors and intercoms

Under current law, imports of infant nursery intercommunication systems enter under HTS subheading 8525.20.20 subject to a column 1 rate of duty of 2.4 percent *ad valorem*. Imports of infant nursery monitor systems enter under HTS subheading 8527.90.80 subject to a column 1 rate of duty of 6 percent *ad valorem*. This section adds two new HTS subheadings (9902.85.24 regarding such intercommunication systems and 9902.85.26 regarding such monitor systems) suspending the column 1 rates of duty through December 31, 1992. On February 13, 1990, the Committee asked for comment on this provision, and no opposition appeared by the close of the comment period.

Section 1421. Certain glass fibers

Under current law, imports of fiberglass yarn and fabric enter under HTS headings 7019.10 and 7019.20 subject to column 1 rates of duty ranging from six percent to 11.1 percent *ad valorem*. This section adds two new HTS subheading (9902.70.19 regarding certain fiberglass rubber reinforcing cord or yarn and 9902.70.20 regarding certain fiberglass tire cord fabric) suspending the column 1 rates of duty through December 31, 1992. On February 13, 1990, the Committee asked for comment on this provision, and no opposition appeared by the close of the comment period.

Section 1422. Three-dimensional cameras

Cameras for 35 mm roll film, not specifically provided for elsewhere, are subject to a 3 percent *ad valorem* rate of duty. This section would temporarily suspend this duty for cameras capable of producing a three-dimensional effect. A Nevada company has developed and produced in the United States a system for processing film exposed by a special, imported camera that uses four 18 X 24 mm frames and two exposures per shot to recreate three-dimensional effects Standard 35 mm film is employed, but the photographic finishing requires a specialized process. Therefore, while the camera is imported, the process is domestic. There was no opposition to the provision.

Section 1423. Personal effects and equipment for World University Games

This section adds a new HTS subheading to provide duty-free entry for the personal effects of participants and officials involved in the 1993 World University Games in the State of New York, and for equipment for use in connection with such games. The section is effective through September 30, 1993.

Section 1424. Karate pants and belts

Under current law, imports of karate pants and karate belts enter under HTS subheadings 6205.62.40, 6204.63.35, and 6217.10.00 subject to column 1 rates of duty ranging from 15.5 percent to 30.4 percent *ad valorem*. This section adds a new HTS subheading 9902.62.04 reducing the column 1 rate of duty for karate pants and belts to eight percent *ad valorem* through December 31, 1992, the rate obtained prior to the conversion to the HTS.

Section 1425. Metallurgical fluorspar

Fluorspar is a mineral used in making steel to facilitate passage of impurities from the molten metal into the slag. Acid-grade fluorspar is produced in significant quantities in the United States, but virtually all metallurgical-grade and ceramic-grade fluorspar—those with less than 98 percent by weight of calcium fluoride—consumed in the United States is imported from Mexico, because this commodity is not produced in the United States in significant quantities.

Under current law, imports of metallurgical-grade and ceramic-grade fluorspar enter under HTS subheading 2529.21.00 subject to a column 1 rate of duty of 13.5 percent *ad valorem*. This section adds a new HTS subheading 9902.25.29 suspending the column 1 rate of duty for imports of fluorspar containing by weight 97 percent or less of calcium fluoride through December 31, 1992.

Section 1426. Certain piston engines

Small, two-stroke engines are often used in small recreational vehicles, such as snowmobiles, golf carts, all-terrain vehicles, and the like, because they provide rapid acceleration. Imports are frequently used by U.S. manufacturers of these vehicles because they are unable to find a domestic source of supply for these engines. There are U.S. producers of these engines, but it appears they do not sell the engines as separate items except for the aftermarket in the golf carts they make, or their engines are designed to be used in personal watercraft. These domestic companies employ altogether, in all operations including but not limited to those producing engines, about 225 people.

Except for the personal watercraft engines, these engines are classified under HTS subheadings 8407.32.20 and 8407.33.20 at a rate of duty of 3.1 percent *ad valorem*. The Committee limited the provision to a temporary suspension applicable only to engines with a cylinder capacity between 50 cubic centimeters (cc) and 1,000 cc, that are installed in snowmobiles, golf carts, all-terrain vehicles, and burden carriers. Under these conditions, the Committee believes that a temporary suspension is justified.

Section 1427. Quizalofop-ethyl

Quizalofop-ethyl is a post-emergence herbicide used to control grass-like weeds in soybeans. The U.S. Government does not collect separate data on the importation of this product, but the company seeking suspension of the duty (the product is dutiable under HTS subheading 2933.90.20 at 13.5 percent *ad valorem*) submitted confidential data that showed fluctuating levels of imports, mainly from

Japan, over the last five years. A domestic producer of a product that competes with the herbicide produced from quizalofop-ethyl opposed the duty reduction in 1989, but on the representation that all competitors in the United States must import the active ingredient they use, the Committee agreed to a temporary suspension.

Section 1428. Certain insulated electrical conductors

This section temporarily suspends through December 31, 1990, the duty on the insulated winding wire cable, classified in HTS subheadings 8540.11.00 and 8536.90.00. The current duty is 5.3 percent *ad valorem*.

The purpose of this section is to allow the duty-free importation of self-contained, fluid filled submarine cable for the New York Power Authority to lay under Long Island Sound from Westchester County, New York to Long Island, New York in order to supply Long Island with high-voltage electric power. In a letter to the Committee, the Chairman of the Power Authority said the savings from the duty suspension would be entirely passed to consumers. The provision was opposed by the Administration, the International Brotherhood of Electrical Workers and the Cablec Corporation of New York, but all the opponents admitted the particular design of cable in question is not manufactured in the United States (although cable that performs the same function is manufactured in the United States).

Section 1429. Diphenyldichlorosilane and phenyltrichlorosilane

Under current law, imports of diphenyldichlorosilane and phenyltrichlorosilane enter under HTS subheading 2931.00.40 with a column 1 rate of duty of 17.7 percent *ad valorem*. This section adds a new HTS subheading 9902.31.07 suspending the column 1 rate of duty through December 31, 1992.

Section 1430. Theatrical, ballet, and operatic scenery, properties, and sets

Essentially, the argument for the suspension is that these products are works of art which should be admitted duty-free rather than, as currently happens in some cases, as dutiable articles of wood and canvas. Under the HTS, theatrical and operatic scenery and properties enter duty-free under bond on condition of their being exported within a year; however, absent use of the bonding procedure, painted canvas used as theatrical scenery, studio backcloths, or the like is dutiable unless they are antiques. This section suspends the column 1 rates of duty for theatrical, ballet, and operatic scenery and properties, through December 31, 1992.

Section 1431. 4-Fluoro-3-phenoxy benzaldehyde

Under current law, this chemical is classified in HTS subheading 2913.00.10, with a column 1 duty rate of 20 percent *ad valorem*. This section temporarily suspends the column 1 duty through December 31, 1992. During the consideration of this bill in the Finance Committee, interested parties reached an understanding that efforts will be made during the next two years to develop domestic production capacity for this raw material used in the production of agricultural insecticides. The parties also agreed that

cost savings from duty suspension will be used so that margins necessary to cover research, development and registration can be maintained at a level similar to other compounds with lower production costs. Duty suspension on this product will benefit the United States and its agricultural industry by reducing the cost to obtain the primary raw material in this specialized insecticide and help assure the availability of the insecticide to U.S. agriculture to assist in the growth of healthier, pest-free, cost-competitive crops in the United States.

PART 3. EFFECTIVE DATES

Section 1601. Effective Dates

This section provides effective dates for the provisions in Subtitle A of Title I of the bill.

SUBTITLE B. MISCELLANEOUS PROVISIONS

Section 1701. Certain forgings

This section allows for the reliquidation and refund of duties on 13 entries of foreigns on which duty assessments were erroneously made by the Customs Service. These refunds will not be available until after October 1, 1990.

Section 1702. Bi-level rail passenger cars

Under current law, imports of bi-level railcars were classified under TSUS item 690.15 with a column 1 rate of duty of 18 percent *ad valorem* and a column 2 rate of duty of 45 percent *ad valorem.* This section provides duty-free treatment for bi-level railcars designed for and used by the Department of Transportation for the State of Florida. This treatment applies to railcars entered after March 14, 1988, and before January 1, 1989, either under column 1 or column 2 TSUS rates.

Section 1703. Certain extracorporeal shock wave lithotripter

Under current law, imports of extracorporeal shock wave lithotripters enter under HTS subheading 9018.90.70 subject to a column 1 rate of duty of 4.2 percent *ad valorem.* The extracorporeal shock wave lithotripter is a medical apparatus designed to disintegrate kidney stones. This section enables the importer of a certain extracorporeal shock wave lithotripter, imported and liquidated under Customs entry number 86-707943-6 on November 10, 1985, to request Customs within 90 days after the date of enactment of this bill to reliquidate that entry and refund to the importer the duties previously paid.

In 1985, when the lithotripter that is the subject of this section was entered, extracorporeal shock wave lithotripters were classified under TSUS item 709.15 as electro-surgical apparatus subject to a column 1 duty of 10.4 percent *ad valorem.* However, the Omnibus Trade and Competitiveness Act of 1988 provided for the temporary suspension of column 1 rates of duty for extracorporeal shock wave lithotripters when imported by non-profit hospitals, and research or education institutions and entered between December 31,

1982, and October 1, 1988. This provision enables the importer to take advantage of this change.

Section 1704. Foreign trade zones (FTZ's)

Under current law, imports of bicycles and their parts and accessories enter under HTS headings 8712 and 8714; they cannot take advantage of FTZ duty reductions until 1991. This section amends the FTZ Act to renew the existing prohibition of FTZ duty reductions applicable to bicycle parts not reexported outside the United States until December 31, 1992.

Section 1705. Certain entries of digital processing units

This section provides for liquidation of duties paid for certain imports of digital processing units (DPU's). DPU's contain the microprocessor that performs the computing functions of an automatic data processing machine. Typically, the DPU is the board to which other subassemblies such as memory, input/output, and graphics boards are connected.

During 1986 and 1987, imports of DPU's entered under TSUS items 676.15, 676.54, 945.83, and 945.84 with column 1 rates of duty ranging from free to 100 percent *ad valorem*. After January 16, 1986 and prior to July 2, 1987, only one U.S. company paid these duties on imported DPU's for that entire period, whereas other importing companies did not. This section puts all the importing companies on an equal basis by providing for reliquidation of duties paid for certain imports of DPU's entered after January 16, 1986 and prior to July 2, 1987. The Committee knows of no objection to this provision.

Section 1706. Nuclear magnetic spectrometer

This section enables the University of Alabama at Birmingham, a non-profit institution, to import this article duty-free for research purposes. The University obtained a Federal grant to buy the machine, but did not allow for customs duties in the grant application because it intended to buy the spectrometer in the United States. However, no U.S. producer bid to supply the machine to the University. The spectrometer is used to obtain medical images and biochemical information from medical patients. Under current law, imports of nuclear magnetic resonance medical system enter under HTS subheading 9018.19.80 subject to a column 1 rate of duty of 4.2 percent *ad valorem*. This section suspends the column 1 rate of duty for this particular transaction only.

Section 1707. Foreign repair of vessels

Under current law (19 U.S.C. 1466), the cost of equipment, repair parts, materials, and associated labor purchased for U.S.-flag vessels outside the United States is dutiable at 50 percent *ad valorem* when the ship returns to the United States. Effective through December 31, 1992, this section does two things:

First, it exempts Lighter-Aboard Ship (LASH) barges, used as cargo containers, from the repair duty. A LASH barge is placed on a mothership just like a cargo container, but since the barges also provide an ongoing transportation vehicle from the point the barge

is discharged by the main ship, the Customs Service classifies them as vessels, which if repaired, are subject to the duty.

Second, it exempts vessel spare repair parts and materials from application of the 50 percent vessel repair duty provided that duty was paid under the appropriate HTS commodity classification upon first entry into the United States. This section applies to spare parts carried aboard an individual vessel as well as to fleet spare parts and materials stored on land, provided that they are intended for installation or use aboard a cargo vessel. This section is intended to ensure that vessel owners will pay duty on such parts and materials only once, at the time of their first entry into the United States. The full 50 percent duty continues to apply to all labor costs associated with the foreign installation of the parts and materials covered by this section.

Section 1708. Certain methanol entries

This section is in the nature of private relief for BDP International, a Customs broker. In 1985, BDP International assumed liability for all duties on two shipments of methanol, which were duty-free if used in certain ways within the United States. Under then-applicable General Headnote 10(e)(ii), proof of actual use must have been made within three years after an article is entered; in the two cases covered by this section, the proof was made, but out of time. The section instructs the Secretary of the Treasury to reliquidate after October 1, 1990, these entries as free of duty if the appropriate proof is submitted within 180 days after the date of enactment of this bill.

Section 1709. Certain frozen vegetables

Under current law, imports of cut and frozen green beans (provided for under HTS subheading 0710.22.40) and frozen and off the cob whole kernel sweet corn (provided for under HTS subheading 0710.40.00) are subject to a column 1 rate of duty of 17.5 percent ad valorem. Due to unusually cold, wet weather in the spring of 1989, Genesse County, New York and surrounding counties were declared to be state disaster areas. As a result, a food processor in the region is being forced early in 1990 to import raw product under the above-referenced categories at prevailing tariff rates to meet its production needs. This section provides for the refund of any duties paid with respect to imports of such products entered after December 31, 1989 and before May 1, 1990. Temporary suspension of the tariffs is intended to help alleviate some of the effects of the 1989 weather in this region. The Associated New York State Food Processors Associations' membership is not opposed to this temporary suspension. In addition, no other entity has expressed opposition to the provision.

Section 1710. Certain films and recordings

This section is intended to rectify inequities caused by the delayed implementation of the Nairobi Protocol, an agreement which provides duty-free treatment for certain educational, scientific, and cultural materials. When the temporary implementation of this Protocol lapsed on August 12, 1985, Customs continued to grant the articles covered duty-free treatment in anticipation of Congression-

al extension of the Protocol. When enactment of this legislation was delayed, Customs eventually began requiring duties to be deposited, starting on January 1, 1987. Eventually, Congress adopted a more restrictive version of the Protocol, which excluded from duty-free treatment certain items that had been covered by the former Protocol. Retroactive imposition of duties on those products subsequently excluded from the Protocol would be both unfair and difficult to implement. Therefore, this section provides that, upon request filed with Customs within 180 days after the date of enactment of this Act, imports of any articles under TSUS 960.50 through 960.70 (as in effect on August 11, 1985) entered after August 11, 1985 and before January 1, 1987 shall be liquidated or reliquidated as though such entry had been made on August 11, 1985. The Secretary of the Treasury shall make the appropriate refund of any duties on such entries.

Section 1711. Certain distilled spirits in foreign trade zones

This section amends the Act of June 18, 1934 (the Foreign Trade Zone Act) to clarify the type of products that are permitted to be processed under the FTZ rules. The section eliminates the issue of whether alcohol used in a FTZ is domestic. The section also clarifies that a person using denatured distilled spirits in a zone will also be eligible for drawback under the Internal Revenue laws.

Section 1712. Reliquidation of certain entries and refound of antidumping duties

This section requires Customs to refund antidumping duties assessed on a Customs broker in New Orleans. These duties resulted from a dumping case brought in 1970 against European imports of large power transformers. The Louisiana broker, acting on behalf of an Italian client shipping these productsd to the United States in 1974, listed itself on Customs forms as the importer of record on a number of these transformers. As importer of record, the broker, not the Italian company, became legally responsible for the duties.

Section 1713. Substitution of crude petroleum or petroleum derivatives

This section amends section 313 of the Tariff Act of 1930 to require the use of certain customs drawback and recordkeeping procedures with respect to goods produced from crude petroleum or its derivatives. When domestic and imported products are commingled in common storage, current law does not stipulate any particular method for accounting for the imported, drawback-eligible portion.

At most larger airports, jet fuel is handled through common storage facilities, usually operated by an independent service company, and refiners will have commercially interchangeable fuel commingled in these facilities. Prior to a Customs ruling in 1988 (C.S.D. 88–1), drawback on exported jet fuel was accounted for on a monthly and total airport storage facility basis. In that ruling, Customs required that accounting be made on a daily, tank-by-tank basis.

This section allows drawback on exports of petroleum products stored in common storage when inventory records kept on a monthly basis demonstrate that the claimant has sufficient quantities of duty-paid product in common storage to justify the draw-

back claim. "Common storage" is defined to include all articles of the same kind and quality stored in an area regardless of the number of bins, tanks, or other containers utilized. This section applies to all drawback entries that have been liquidated in accordance with C.S.D. 88–1 or relevant predecessor decision letters versions.

Title II. Caribbean Basin Economic Recovery

Title II of the Committee bill amends the Caribbean Basin Economic Recovery Act (CBERA). The Committee's amendments have their antecedents in bills introduced in the House and the Senate in the 100th Congress and the first session of the 101st Congress. One such proposal, H.R. 3101, was introduced in the House in the 100th Congress and was the subject of hearings in the Committee on Ways and Means, but no legislative action was taken on it. In the current Congress, H.R. 1233, with Congressman Gibbons as principal sponsor, was introduced as a successor to H.R. 3101 in March 1989. Senator Graham, with cosponsors, introduced an identical companion bill, S. 504, in the Senate at the same time. S. 504 was referred to the Committee on Finance.

H.R. 1233 was amended by the Ways and Means Trade Subcommittee and favorably reported to the full Committee on Ways and Means in May 1989. The Committee further amended the bill and reported it favorably to the House in June. H.R. 1233 was incorporated into the House budget reconciliation bill with one further change deleting all provisions relating to textile and apparel imports. Ultimately, the substance of H.R. 1233, as amended, was removed from the budget reconciliation legislation during conference.

The Committee on Finance held hearings on S. 504 and H.R. 1233 on February 9, 1990.

Background and purpose.—President Reagan announced the Caribbean Basin Initiative (CBI), a program to further the economic development and political stability of Caribbean countries, in February 1982. The CBI was a package of economic assistance, trade benefits, and incentives, in part administrative and in part statutory. The centerpiece of the proposal was what is, in essence, a one-way free trade area in which the United States grants to Caribbean countries duty-free access to the U.S. market. In response to the President's proposal, the Congress enacted the CBERA in August 1983, with an effective date of January 1, 1984. It contained trade and tax provisions to implement the CBI.

CBERA provides duty-free status to eligible imports for a 12-year period (through September 30, 1995). Certain articles are ineligible for duty-free treatment because they are considered import sensitive. These are: textile and apparel articles that are subject to bilateral textile agreements; canned tuna; petroleum and petroleum products; and footwear, handbags, luggage, flat goods, work gloves and leather wearing apparel not eligible for duty-free treatment under the GSP. Also excluded are watches and watch products if any material used in their manufacture originates in countries ineligible for MFN status.

CBERA contains a specific listing of the Caribbean and Central American countries and territories that are potentially eligible for

CBI beneficiary designation. On the effective date of the Act, 20 were designated as eligible for benefits: Antigua and Barbuda; Barbados; Belize; British Virgin Islands; Costa Rica; Dominica; Dominican Republic; El Salvador; Grenada; Guatemala; Haiti; Honduras; Jamaica; Montserrat; Netherlands Antilles; Panama; St. Kitts and Nevis; St. Lucia; St. Vincent and the Grenadines; and Trinidad and Tobago. Subsequently designated were the Bahamas (1985), Aruba (1986), and Guyana (1988).

CBERA establishes criteria for the President's determination whether a Caribbean country may be a beneficiary of the program. Mandatory criteria include, among others, whether the country is Communist or has nationalized or expropriated U.S. property. The President is allowed to waive certain of these mandatory criteria if he certifies that designation is in the U.S. national economic or security interest. In addition, there are a number of discretionary criteria the President may apply in making his decision, including the desire of the Caribbean country for designation, its economic condition, the extent it is prepared to provide access to its own market, and the degree to which it follows international trade rules. Finally, the President, based on changed circumstances, may withdraw or suspend a country's designation under any of the mandatory criteria for which he would originally have been barred from designating the country.

The Act also contains rules of origin designed to ensure that products made outside the CBI region are not given duty-free status just for passing through a CBI country.

The current legislation recognizes the critical importance of the Caribbean Basin countries to the United States, and the vital connection between the peace, political stability, and economic development of the region to U.S. national security interests. The CBERA has proven to be a success in many regards. Aside from trade in petroleum and petroleum products, U.S. imports from the region have grown since the effective date of the CBERA. Moreover, the economies of many Caribbean countries have diversified, with greater emphasis on non-traditional exports, such as textiles and apparel, and less dependence on traditional exports such as sugar, coffee, and bananas. At the same time, the Committee believes the legislation can and should be improved. A principal aim of the Committee bill is to create greater business certainty with regard to the CBERA and to provide an atmosphere conducive to the promotion of long-term investment. In addition, the Committee bill seeks to respond to the needs of the region, while taking into full consideration the legitimate concerns of domestic industry and labor.

The provisions of this title are as follows:

Section 2001. Short title

This title is to be cited as the Caribbean Basin Economic Recovery Expansion Act of 1990.

Section 2002. Congressional findings

The findings underlying this title are that a stable political and economic climate in the Caribbean region is necessary for the development of the countries in the region and for the security and

economic interests of the United States; the CBERA was enacted in 1983 to assist in the achievement of such a climate by stimulating the development of the export potential of the region; and the U.S. commitment to the successful development of the region should be reaffirmed and further strengthened by amending the CBERA to improve its operation.

Section 2003. Repeal of termination date on duty-free treatment under the Act

Section 213(b) of CBERA limits duty-free treatment of eligible articles to 12 years, terminating on September 30, 1995. Section 2003 of the Committee bill repeals this statutory termination date, making the program permanent. The purpose is to create greater certainty for potential investors that preferential access to the U.S. market under CBERA will remain in effect indefinitely.

Section 2004. Worker rights

Section 212(c) of the CBERA requires the President to take into account in determining whether to designate any country as a CBI beneficiary the degree to which workers in the country are afforded reasonable workplace conditions and enjoy the right to organize and bargain collectively. Section 212(b) of the CBERA prohibits the President from designating any country as a CBI beneficiary if the country does not meet specified statutory criteria, some of which may be waived if the President determines that designation will be in the national economic or security interest of the United States. Worker rights are not included in these mandatory designation criteria. Section 212(e) of the CBERA authorizes the President to withdraw or suspend designation of a country as a CBI beneficiary or to withdraw, suspend, or limit the application of duty-free treatment to any article of a beneficiary country if the President determines that as a result of changed circumstances the country would be barred from designation as a beneficiary because it does not meet one or more conditions under section 212(b).

Section 2004 of the Committee bill adds a new criterion to section 212(b) of the CBERA that prohibits the President from designating any country as a CBI beneficiary if the country has not or is not taking steps to afford internationally-recognized worker rights to workers in the country (including any designated zone in that country), as those rights are defined under GSP. The President would be entitled to waive this requirement for economic or national security reasons. These amendments make the criteria for the application of internationally-recognized worker rights to CBI beneficiary countries identical to and consistent with the standards that already apply to those same countries as beneficiaries under the GSP program. The existing language of section 212(c) of the CBERA is amended to be consistent with the new standard under section 212(b).

Section 2005. Reports

Section 2005 of the Committee bill amends section 212 of the CBERA to require the President to submit a complete report to the Congress by October 1, 1993, and every three years thereafter regarding the operation of the CBI. This new reporting requirement

is similar to the report currently required by statute on the operation of the GSP program. The report will provide a basis for periodic Congressional review of the administration of the program and possible future changes to improve its operation.

Section 2006. Increase in duty-free tourist allowances

Subchapter IV of chapter 98 of the HTS provides a duty-free tourist allowance of $400 to returning U.S. residents arriving directly or indirectly from foreign countries (including CBI beneficiary countries) and an allowance of $800 to U.S. residents returning from U.S. insular possessions. In addition, U.S. residents returning from foreign countries may bring in not more than one liter of alcoholic beverage duty-free and excise-tax free.

Section 2006 establishes a new tariff item 9804.00.72 of the HTS to increase the duty-free allowance for U.S. residents returning directly or indirectly from a CBI beneficiary country from $400 to $600. This section also allows tourists to enter one additional liter of alcoholic beverages duty- and excise-tax free if produced in a CBI beneficiary country, and amends the HTS to increase the duty-free allowance for U.S. residents returning from U.S. insular possessions from $800 to $1,200. These changes are made to provide additional incentive for tourists returning from the Caribbean to make purchases in the region. The increase in the duty-free allowance for tourists returning from the U.S. insular possessions maintained the traditional 2-to-1 ratio in their favor in relation to the allowance for tourists returning from foreign countries.

Section 2007. Duty-free treatment for articles assembled in beneficiary countries from components produced in the United States

Note 2 of subchapter II of chapter 98 of the HTS treats an article returning to the United States after being advanced in value or improved in condition abroad as a "foreign article," and thereby subject to U.S. duties and quotas upon reentry.

This section grants duty-free treatment for articles assembled in CBI beneficiary countries from 100 percent U.S. content, and duty-free and quota-free treatment to articles processed in CBI beneficiary countries from 100 percent U.S. ingredients, except water. This section would not apply to imports of any product that is otherwise ineligible by law for CBI duty-free treatment.

The purpose of this limited exception to the general CBI rules of origin is to encourage small-scale investments in assembly and processing facilities in areas of the Caribbean that are not able to support full-fledged manufacturing or processing operations. In turn, the amendment encourages greater sales of U.S. products and further integration of production between the United States and the Caribbean.

Section 2008. Conforming GSP amendment

The rules of origin set forth under section 213(a) of the CBERA include the specific requirement that duty-free treatment provided under the CBI applies to an article that is the growth, product, or manufacture of a beneficiary country. Regulations issued by the Secretary of the Treasury must provide that the article be wholly the growth product, or manufacture or a beneficiary country or a

new or different article of commerce grown, produced, or manufactured (*i.e.*, substantially transformed) in a beneficiary country. The statutory rules of origin for the GSP program do not specifically include this requirement.

Section 2008 amends section 503(b) of the Trade Act of 1974 to insert the requirement in the rules of origin for determining duty-free treatment under the GSP program that an eligible article must be the growth, product, or manufacture of a beneficiary developing country. Regulations issued by the Secretary of the Treasury, after consultation with the USTR, must provide that, in order to be eligible for GSP duty-free treatment, an article must be wholly the growth product, or manufacture of a beneficiary developing country or must be a new or different article of commerce grown, produced, or manufactured (*i.e.*, substantially transformed) in the beneficiary developing country. These regulations must also prohibit any article or material of a CBI beneficiary country from being eligible for duty-free treatment by having merely undergone simple combining or packaging operations or mere dilution that does not materially alter the characteristics of the article.

The U.S. Court of International Trade, affirmed by the U.S. Court of Appeals for the Federal Circuit, decided in the *Madison Galleries* case that there is no legal requirement under the GSP statute for goods to be the product of a beneficiary developing country in order to be entitled to duty-free treatment under that program. The Court's decision eliminates the need to apply a "substantial transformation" test under the GSP, thereby basing origin for duty-free treatment strictively on the direct importation and 35 percent value-added requirements. As a result of this decision, the rule of origin requirements for duty-free treatment under the CBI, which do include a statutory substantial transformation test, are now more restrictive than for GSP.

The purpose of the conforming amendment to the GSP statute is to ensure that duty-free treatment under the CBI is not applied more restrictively than under the GSP program and that the GSP rules of origin do not become a loophole for duty-free treatment not intended under the CBI program. As a result of the amendment, the origin rules and regulations under the two programs would be identical.

Section 2009. Pilot preclearance program

Section 2009 requires the Commissioner of Customs to carry out preclearance operations during FY 1990 and FY 1991 at a U.S. Customs Service facility in a Caribbean Basin country which the Commissioner considers appropriate for testing the extent to which the availability of preclearance operations can assist in the development of tourism. The country selected cannot be a site of current preclearance operations and U.S. immigration preinspection operations must be currently carried out in that country.

Before preclearance operations may begin in the country selected for testing, the Commissioner of Customs and the Commissioner of Immigration and Naturalization must jointly certify that: (1) a bilateral government agreement exists between the United States and the country which protects U.S. interests and affords diplomatic protection to U.S. employees working at the preclearance loca-

tion; (2) the facilities at the preclearance location are suitable and conform to Federal Inspection Services standards; (3) there is adequate security for international arrivals; (4) the Government of the country grants the U.S. Customs and Immigration and Naturalization Services appropriate search, seizure, and arrest authorities; and (5) U.S. employees and their families will not be subject to fear of reprisal, acts of terrorism, and threats of intimidation.

The Commissioner of Customs must submit a report to the Congress as soon as practicable after September 30, 1991, regarding the pilot preclearance program, including a summary of the operations, an evaluation of the extent preclearance stimulated tourism in the country and expedited customs processing at U.S. ports of entry, and the efficacy of extending preclearance operations to other Caribbean countries.

Existing preclearance facilities have been helpful in expediting passenger flow and reducing congestion in U.S. ports, and have facilitated tourism in the United States and abroad. Tourism is an important catalyst for economic growth in the Caribbean region. Establishment of a pilot program will provide statistical evidence for the U.S. Customs Service to examine the feasibility and desirability of expanding preclearance operations throughout the Caribbean. The program will also provide a test of how important this particular measure is in overcoming obstacles and delays to tourism in the region.

Section 2010. Application of Act in Eastern Caribbean area

This section expresses the sense-of-the-Congress that special efforts should be undertaken to improve the ability of the Organization of Eastern Caribbean States countries and Belize to benefit from the CBERA.

Section 2011. Caribbean-Central American scholarship partnership

Section 2011 of the bill requires the Administrator of the Agency for International Development to establish and administer a program of scholarship assistance, in cooperation with State governments, universities, community colleges, and businesses, to enable students from eligible countries (*i.e.*, CBI beneficiary countries that also receive U.S. foreign assistance) to study in the United States. The Administrator may make grants to States (including the District of Columbia, Puerto Rico, and U.S. possessions and territories) to provide scholarship assistance for undergraduate degree programs and for training programs of at least one year in study areas related to the critical development needs of the student's respective countries. The Administrator will also consult with the participating States on the education opportunities available within each State and on the assignment of scholarship recipients.

With respect to funding of the program, section 2011 provides that the Federal share for each year for which a State receives payment will be not less than 50 percent. The Federal share will be funded from amounts otherwise made available for Latin American and Caribbean regional programs under the economic support fund of the Foreign Assistance Act of 1961; no separate funding is authorized under the bill for this purpose. The non-Federal share of payments may be in cash or in-kind. To the maximum extent prac-

ticable, each participating State shall enlist private sector assistance to meet the non-Federal share of payments. Whenever appropriate, each participating State will also encourage the private sector to offer internships or other opportunities to students receiving scholarships. The obligation of any recipient to reimburse any or all scholarship assistance shall be forgiven upon the students' prompt return to their home country for at least one year longer than the period spent studying in the United States with scholarship assistance.

Section 2012. Promotion of tourism

Section 2012(a) makes a Congressional finding that the tourism industry must be recognized as a central element in the economic development and political stability of the Caribbean Basin. Section 2012(b) expresses the sense-of-the-Congress that increased tourism should be developed in the region as a central part of CBI legislation, and that a high priority should be assigned by U.S. Government agencies to projects that promote the tourism industry in the Caribbean.

Section 2012(c) states that the Secretary of Commerce should complete a study on tourism development strategies for the Caribbean Basin. The study should include information on the mutual benefits to the U.S. and Caribbean economies as a result of tourism in the region and proposals for developing increased linkages between the tourism industry and local industries such as agribusiness.

The intent of the sense-of-the-Congress provision is to encourage Federal Government agencies to accord tourism projects priority status among economic development activities. The purpose of the second provision is to provide direction for the U.S. Travel and Tourism Administration to complete the study on tourism development strategies for the Caribbean region that it began in 1986 but did not complete.

Section 2013. Agricultural infrastructure support

This section, added at the request of the Administration, states the sense-of-the-Congress that, in order to facilitate trade with, and the economic development of, the CBI, the Secretary of Agriculture should coordinate with the Agency for International Development the development of programs to encourage improvements in the transportation and cargo handling infrastructure in CBI countries to improve agricultural trade.

Title III. Authorization of Appropriations for Trade Agencies

For the first time, the Committee on Finance this year reports a two-year authorization for the U.S. Customs Service, the U.S. Trade Representative (USTR), and the U.S. International Trade Commission (ITC), covering both FY 1991 and FY 1992. The purposes of authorizing a second year of appropriations are several. First, it serves as a clear indication of Congressional priorities. Second, a two-year authorization permits these agencies long-term planning. Finally, the Committee believes that this authorization will give Customs and USTR greater ability to argue their cases

with the Office of Management and Budget (OMB) for the stable personnel and resource levels they require.

Section 3001. Office of the United States Trade Representative

Section 141(g) of the Trade Act of 1974, as amended (19 U.S.C. 2171(g)), authorizes appropriations for the purposes of carrying out the functions of the Office of the USTR. For FY 1990, P.L. 101-207 amended the Trade Act of 1974 to authorize an appropriation of $19,651,000 for the functions of USTR. In addition, P.L. 101-207 amended the U.S.-Canada Free Trade Agreement (FTA) Implementation Act to authorize an appropriation of $1,492,000 to USTR to pay for the U.S. share of the expenses of binational panels and extraordinary challenge committees convened pursuant to Chapter 19 of the U.S.-Canada FTA. Chapter 19 pertains to binational dispute settlement in antidumping and countervailing duty cases.

Public Law 101-162 provided an FY 1990 appropriation of $18,000,000 to USTR. Monies available to USTR were subsequently reduced to $17,778,000 as a result of the sequestration under the Gramm-Rudman-Hollings law.

Section 3001 of the Committee bill amends section 141(g) of the Trade Act of 1974 and section 406(b) of the U.S.-Canada FTA to authorize appropriations to USTR for both FY 1991 and FY 1992. For FY 1991, the bill authorizes a total appropriation of $23,250,000 to USTR ($21,200,000 for carrying out the functions of the USTR and $2,050,000 to pay for Chapter 19 expenses under the U.S.-Canada FTA). For FY 1992, the bill authorizes a total appropriation of $21,077,000 to USTR ($19,027,000 for carrying out the functions of the USTR and $2,050,000 to pay for Chapter 19 expenses under the U.S.-Canada FTA). Section 3001 further provides that, in each fiscal year, an amount not to exceed $98,000 may be used for entertainment and representation expenses, and an amount of $1,000,000 shall remain available until expended.

The funding amount of $23,250,000 authorized by the Committee bill for FY 1991 includes increases of $665,000 to support the conclusion of the Uruguay Round of multilateral trade negotiations, $754,000 to implement the Omnibus Trade and Competitiveness Act of 1988 and the U.S.-Canada FTA, and $1,567,000 for an upgrade in USTR's computer system and certain other equipment needs. The bill provides for an increase from the current authorized level of 156 full-time equivalent (FTE) staff positions to 164 positions.

The funding amount of $21,077,000 authorized by the Committee bill for FY 1992 will maintain USTR at the level of services proposed in the authorization for FY 1991. It is lower than the FY 1991 level because of certain non-recurring expenses that are part of the amount authorized for FY 1991 ($1,000,000 for the computer system upgrade, $600,000 for Uruguay Round support, $225,000 for modular furniture, and $92,000 for a telephone system upgrade).

The Committee is authorizing a higher level of funding than requested by the President because it believes that the amount requested is insufficient to meet the increased responsibilities that have been placed upon USTR. In fact, the amount proposed by the President for FY 1991 would not maintain USTR at its FY 1990 op-

erating level. The President's budget proposal represents a decrease in USTR's real resources for FY 1991.

The Omnibus Trade and Competitveness Act of 1988 clearly mandated a more aggressive U.S. trade policy. Conducting such a policy requires more resources in the hands of the chief U.S. trade negotiator and policymaker, the USTR. In addition to this general mandate with respect to trade policy, the 1988 Trade Act increased specific USTR responsibilities, *e.g.*, by increasing the role of section 301, administered solely by USTR, in U.S. trade policy and by establishing by law specific deadlines, such as the identification of trade liberalization priorities under the "Super 301" provision, that must be met by USTR. At the same time, the USTR is heading the U.S. effort in the Uruguay Round, the most ambitious set of multilateral trade negotiations in U.S. history, and undertaking bilateral negotiations with the Soviet Union and certain Eastern European countries on commercial agreements that, if approved, would have the effect of granting these countries MFN status.

In this environment, the Committee is concerned about the serious resource constraints that have been placed upon USTR because of inadequate funding. For example, USTR's computing and word processing capabilities have reached nearly complete saturation. Its computer system is old, obsolete, and inadequate to the agency's task. The system is prone to interruptions. Word processing at the agency is virtually suspended during down times, which have been frequent and which have lasted as long as 24 hours. Not all USTR officials can have access to computer services at the same time. There are waiting lines on most days. Reflecting these difficulties, there are reports of personnel on detail to USTR from other agencies returning to their home agencies to work on those computer systems because of the inadequacies of the USTR system. As a result, the Committee bill authorizes an amount sufficient to provide for an upgrade in USTR's computer system.

The constraint on funds also means that personnel resources at USTR are stretched thin. For example, in the Eastern Europe and Japan areas, the agency relies upon temporary detailees from other agencies to a great extent, which impedes continuity at a time when it is most needed. Interns and students are utilized for support staff duties, in an effort to conserve FTE staff for upper level professional staff. Nor does the agency have funds to enhance its personnel resources—training funds for USTR personnel are virtually non-existent.

These problems are immediate and must be addressed. Moreover, the Committee sees no prospect of USTR's workload diminishing. Demands associated with implementation of the 1988 Trade Act and the U.S.-Canada FTA will not diminish. Moreover, while it is too early to be certain of the results of the Uruguay Round, there is a strong likelihood of many follow-up negotiations which will have to be led by the USTR. Contrary to the President's budget which appears to suggest a smaller USTR by forecasting a budget of $16 million for USTR for FY 1992, the Committee expects USTR's responsibilities to continue to be significant, and expects its funding to be commensurate. Thus, the Committee is authorizing an amount for FY 1992 that will maintain USTR at the level of services that it is authorizing for FY 1991.

Section 3002. United States International Trade Commission

Section 330(e)(2) of the Tariff Act of 1930, as amended (19 U.S.C. 1330(e)(2)) requires annual enactment of an authorization of appropriations for the ITC. Section 175 of the Trade Act of 1974 (19 U.S.C. 2232) requires that the estimated expenditures and proposed appropriations of the agency be included in the President's budget without revision.

For FY 1990, Congress authorized an appropriation of $39,943,000 for the ITC in P.L. 101-207. Public Law 101-162 provided an FY 1990 appropriation of $39,000,000 for the ITC. Monies available to the ITC were subsequently reduced to $38,477,000 as a result of the sequestration under the Gramm-Rudman-Hollings law.

Section 3002 of the Committee bill amends section 330(e) of the Tariff Act of 1930 to authorize appropriations to the ITC of $42,430,000 for FY 1990 and $46,673,000 for FY 1991. Of the amounts authorized, no more than $2,500 may be used in each fiscal year for reception and entertainment expenses.

The Committee bill authorizes the amounts requested by the ITC for each fiscal year. The increases are intended to cover nondiscretionary cost increases to provide necessary support services and to enable the ITC to have sufficient resources to accomplish its mission. The number of authorized permanent positions will remain at the present level of 502.

Section 3003. United States Customs Service

FY 1991 budget authorization.—Section 301 of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075) requires annual enactment of an authorization of appropriations to the United States Customs Service. For FY 1991, section 3003 of the Committee bill authorizes an appropriation of $1,336,574,000. Of this total, $1,193,527,000 is allocated to salaries and expenses. This is an increase of $67,827,000 above the amount requested in the President's budget for salaries and expenses.

As required by the Omnibus Budget Reconciliation Act of 1986, the Committee bill specifies the amounts for salaries and expenses dedicated to commercial ($671,645,000) and noncommercial ($521,882,000) operations. The purpose of this breakout is to establish the authorized amount to be funded for commercial operations out of the Customs User Fee Account. The remainder of the total authorized amount ($143,047,000) is for operations and maintenance of the air drug interdiction program, and represents the amount requested in the President's budget for that program.

The President's budget request for salaries and expenses for the Customs Service for FY 1990 calls for appropriation of $125,700,000 for an authorized personnel level of 16,349 FTE positions (the budget actually contains the figure $1,120,086; however, the Customs Service has informed the Committee that an item representing savings of $5,614,000 for non-recurring costs from a FY 1990 cargo examination initiative is in error, and this amount has been added to the Administration's figure). This request represents an increase of $60.6 million from the level of $1,065,090,000 appropriated for this purpose last year. However, it also calls for a decrease of 314 personnel positions.

The budget's proposed decreases are accounted for by: (1) absorption by Customs of the cost of FY 1991 pay and benefits increases ($13.1 million and 281 FTE) and absorption of the cost of Congressionally mandated removal of the cap on administratively uncontrollable overtime for law enforcement officers ($13.6 million and 257 FTE); (2) nonrecurring FY 1990 costs related to a money laundering initiative and a transfer from the Department of Defense ($6.9 million); (3) projected savings of $0.8 million from contracting out to the private sector; and (4) a transfer of $0.4 million to the Treasury Department for rent relating to the Inspector General program.

The President's budget also proposed certain non-program increases for FY 1991. These are: (1) amounts necessary to maintain current services ($59.5 million); (2) annualization of FY 1990 money laundering and air staffing initiatives ($11.5 million and 156 FTE); and (3) the cost of equipment necessary for renovated Southwestern border facilities.

Finally, the budget proposes new program decreases and initiatives as follows: (1) a decrease of $5.3 million and 55 positions representing a transfer to the Justice Department of program authority for organized crime drug enforcement (an accounting change only; the positions remain with Customs); and (2) increases for improving internal controls, expanding the canine enforcement team program, improving money laundering enforcement, increased levels of inspectors on the Southwest border, and further developments in automation. The latter increases account altogether for an additional $27.5 million and 221 positions.

The difference between the amount authorized by the Committee and the amount requested in the President's budget represents a decision by the Committee that the Customs Service should not be required to bear certain proposed cuts in funding. First, where the budget seeks to carry over to the base for the FY 1991 appropriation the amounts lost due to absorption of the January 1990 pay increase and the Gramm-Rudman-Hollings sequester, the Committee's bill restores these amounts ($40,265,000 and 443 FTE). Second, the Committee's bill rejects the budget's proposal to require Customs similarly to absorb the cost of the 3.5 percent January 1991 pay raise and the removal of the cap on administratively uncontrollable overtime ($26,731,000 and 538 FTE). Third, the Committee's bill contains no decrease, as proposed by the budget, representing savings derived from contracting out to the private sector ($831,000 and 98 FTE); while Customs has considered the feasibility of contracting out some functions, such as automation activities, it has documented no plans to do so in FY 1991.

Altogether, the restoration by the Committee of the amounts sought to be cut adds $67,827,000 and 1,079 FTE to the amounts in the President's budget. This amount essentially represents maintenance of the levels previously authorized, plus the limited program initiatives suggested in the President's budget. The Committee believes that it makes no sense to make deep cuts in the funding and staffing of the Customs Service, a revenue-collecting agency that, for each personnel position added, earns additional revenue at the margin. Moreover, the Committee is concerned that such decreases in funding will harm the agency's ability to carry out its multiple

tasks in the areas of trade facilitation and enforcement. With the significant increases in the flow of legitimate commerce and illegal drugs over our nation's borders, the need for a strong Customs Service is greater than ever.

For operation and maintenance of the air drug interdiction program, the Committee bill authorizes $143,047,000, the amount requested by the Administration. This is a decrease of $87.4 million from the level appropriated for FY 1990. The decrease is accounted for by increases necessary to maintain current services and annualize costs of assets previously purchased, balanced against $103.4 million in non-recurring expenditures from FY 1990.

FY 1992 budget authorization.—For a number of years, OMB has repeatedly sought to reduce funding for Customs. Each year, the Congress has rejected these cuts and in some years has increased funding substantially above the amount required to maintain current levels. This tug-of-war over funding represents a genuine difference of philosophy about the Customs Service. An authorization for more than one year will put OMB on notice of Congress' intentions regarding the Service, and curb the continual difficulty Customs has in hiring up to its authorized personnel levels as a result of the pushing and pulling over its budget. Furthermore, at the Committee's hearing on February 22, 1990, Commissioner of Customs Carol Hallett agreed that Customs would have certain management efficiencies as a result of such an authorization.

For FY 1992, the Committee bill authorizes an appropriation of $1,416,574,000. This breaks out to $1,253,527,000 for salaries and expenses, an increase of $60 million over the authorization for FY 1991, and $163,047,000 for operations and maintenance of the air interdiction program, an increase of $20 million over the 1991 amount. For salaries and expenses, $705,569,000 is authorized for commercial operations, and $547,958 for non-commercial operations. The additional funds are those that would be necessary to maintain in FY 1992 the level of spending authorized in 1991.

Title IV. Miscellaneous Provisions

Section 4001. Technical amendments regarding nondiscriminatory trade treatment

Legislative vetoes were declared unconstitutional by the Supreme Court in *Immigration and Naturalization Service* v. *Chadha* in 1983. In three instances, the Trade Act of 1974 creates procedures that might be viewed as "legislative vetoes."

While the Committee does not necessarily agree these provisions are unconstitutional, it proposes to make their constitutionality undebatable, in order to preserve the 1974 statutory scheme as the United States enters an era of rapidly changing relations with nations in Eastern Europe and the Soviet Union.

Title IV of the Trade Act of 1974 sets out special rules for countries that did not receive "nondiscriminatory" trade treatment, that is, MFN treatment, as of the date of the enactment of that law, January 3, 1975. These countries are currently the Soviet Union and certain other nonmarket economy (NME) countries. This title of the bill is intended to remove the possibility proce-

dures in Title IV might be unconstitutional, without changing the underlying scheme of the law. The three instances are as follows:

(1) Section 405 of the Trade Act of 1974 authorizes the President to enter into bilateral commercial agreements extending MFN to NME's when he determines that such agreements will promote the purposes of the Trade Act of 1974 and are in the national interest, but such an agreement can only take effect if "approved by the Congress by the adoption of a concurrent resolution."

The facts of the *Chadha* decision do not include either concurrent (as distinguished from one-house) legislative actions nor legislative approvals (as distinguished from disapprovals), but the Executive Branch might conclude, by extending the decision, that the concurrent resolution of approval of section 405 is unconstitutional because a concurrent resolution is not submitted to the President for signature or veto. If the Executive Branch also concluded that the section 405 concurrent resolution procedure was separable from the statutory authority granted the President to enter into such trade agreements, then the President might enter into such an agreement and proclaim MFN for the country concerned without seeking Congressional approval. This could extinguish the role of Congress in approval of such trade agreements.

This result is particularly undesirable in light of the President's decision to negotiate a trade agreement with the Soviet Union pursuant to section 405 by June of 1990. It would be prevented by the bill, which amends section 405 to require approval of section 405 agreements by joint resolution.

(2) The Jackson-Vanik amendment, section 402 of the Trade Act of 1974, prohibits MFN for NME countries unless they meet certain standards relating to freedom of emigration, but the President is authorized to waive these conditions under certain circumstances. However, if his wavier is disapproved by either House of Congress within 60 days after he makes the waiver, then his waiver authority with respect to the country concerned is invalid.

Since the one-house resolution of disapproval under this procedure would not be submitted to the President, it is considered likely (by the American Law Division of the Congressional Research Service among others) that this procedure is unconstitutional under the *Chadha* decision. The defect is cured, again, by a provision of the bill amending the law to make the resolution of disapproval a joint resolution. Since the resolution of disapproval would, unlike the existing law, be subject to Presidential veto and the Congress overriding the veto, the Committee bill allows 45 days in addition to the time allowed under current law for this process to be completed.

(3) Under section 407 of the Trade Act of 1974, either House has the power to prevent MFN for a NME country, even if the President finds the country in compliance with the Jackson-Vanik amendment, by passing a resolution of disapproval within 90 days after the President makes his finding. Like the one-house disapproval of waivers, this procedure is likely unconstitutional, and the defect is cured by a provision of the bill providing for the use of a joint resolution.

The bill also eliminates obsolete provisions of Title IV of the Trade Act of 1974.

Section 4002. Customs user fees

Merchandise processing fee.—Section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, as amended, requires the Secretary of the Treasury to collect a customs user fee from the importer of record to cover the costs of processing imported merchandise formally entered or withdrawn from warehouse for consumption. This section expires on September 30, 1990. The fee is currently set at 0.17 percent *ad valorem.* Exempted from the fee are imports from CBI beneficiary countries, U.S. insular possessions, and least developed developing countries, and entries under chapter 98 of the HTS (former chapter 8). Under the U.S.-Canada FTA, the fee on imports of Canadian origin is to be phased out beginning January 1, 1990.

In February 1988 the Contracting Parties to the General Agreement of Tariffs and Trade (GATT) adopted a panel finding that the present *ad valorem* user fee is inconsistent with U.S. international obligations under the GATT.

Section 4002 of the Committee bill authorizes a modified *ad valorem* fee on imported merchandise effective for one year, through September 30, 1991. The current fee of 0.17 percent is changed to 0.15 percent, subject to both a maximum cap and a minimum floor on the absolute amount to be paid. The cap is set at $400 on automated entries and $403 on entries handled manually. The floor is a minimum payment of $20 on automated entries and $23 on manual entries. For informal entries, the fee would be $14 (manual) and $11 (automated). This is the revised fee methodology recommended by the Administration. The Committee understands that the fee applicable to automated entries would apply when Customs administrative or technical problems temporarily prevent automated entry to imports otherwise qualified for consideration as automated entries.

The purpose of this amendment is to respond to the GATT ruling. For this reason, the cost of commercial operations on which the fee level is based excludes air passenger processing costs, export control costs, and costs of international affairs activities. The exemptions from fee application under current law will continue, but the costs of processing such entries will be funded from general revenues rather than from user fees on other entries. The minimum and maximum fee charges are designed to limit permissible fees to a range roughly approximating Customs' cost of processing import entries.

Two additional provisions are added to this legislation. The first provides a special rule applicable to entries of merchandise under temporary monthly entry programs established by Customs prior to July 1, 1989, for testing entry processing improvements. For these entries (automobile imports from Canada) the fee is to be applied on the aggregate value (up to the fee cap) of each day's importations at each port of entry by each importer from the same exporter.

The second addition to the merchandise processing fee legislation corrects a problem arising from the application of fees by the Customs Service to entries of canned pineapple (consisting of non-dutiable foreign-origin cans and U.S.-origin pineapple) entering from

FTZ. For agricultural products of the United States that are processed and packed in an FTZ, this section applies the fee solely to the value of material used to make the container for the merchandise, if it is subject to entry and the container is of a kind normally used for packing such merchandise.

"COBRA" fees.—This section also renews for one year the so-called COBRA fee legislation, with an amendment. Current law, established in the COBRA, establishes a schedule of flat-rate user fees on various conveyances and air passengers arriving from abroad and on dutiable mail and customs broker permits. The fees are paid into a dedicated account and used to pay the costs of Custom's overtime inspectional services and preclearance operations.

In addition to extending this provision, the Committee would make the follwing change. Under current law, the fee account runs a substantial surplus. This section will authorize the Commissioner of Customs to access the surplus to hire full- and part-time personnel, buy equipment and satisfy other direct expenses necessary to provide service to the payers of the fee.

The Customs Service is often faced with service demands that require the immedite allocation of personnel or equipment. One example is where an airport takes on new or expanded international service. The usual response in such a situation has been to reallocate positions from one location to another, or to postpone service pending additional funding. It has become increasingly apparent that neither response is satisfactory, and does not serve the interests of Customs or the trade community that pays the user fee. By being able to use the surplus COBRA funds for this purpose, Customs will be better able to meet these needs.

The Committee intends that Customs be able to use the surplus in this manner only after all inspectional overtime and excess preclearance costs are paid. The Committee further expects that any surplus funds will be used in such a way as to ensure, to the extent possible, a distribution that is roughly proportionate to the amount paid by each category of payers of the fee.

Section 4003. Drug paraphernalia

This section implements certain recommendations of the ITC in investigation 332-377 on the enforcement efforts against imports of drug paraphernalia. It requires the Secretary of the Treasury, the Secretary of Commerce, and the ITC to take action to implement the ITC's recommendations regarding additional statistical annotations. It also amends the Mail Order Drug Paraphernalia Control Act to require the Customs Service, within one year of the date of enactment of this Act, to prescribe and maintain a comprehensive list of drug paraphernalia articles. This section requires the Commissioner of Customs to report to the Senate Finance Committee and the House Ways and Means Committee on the operational response of the Customs Service to the ITC report.

Section 4004. Prohibition of the importation of certain articles originating in Burma

This section prohibits, effective the date of enactment of this Act, importation into the United States of certain products originating in Burma. The subject imports are (1) teak, and any other tropical

timber, cut in Burma, and products made of teak or tropical timber cut in Burma; and (2) fish and other aquatic animals taken from the territorial waters of Burma, and products made from such fish or aquatic animals. This section requires the Secretary of the Treasury to prescribe such regulations as necessary to carry out this prohibition. The regulations shall require all importers of teak and other tropical timber, and products made of teak or tropical timber, to certify the country of origin of such products at the time of their importation. They shall also require any importer of fish or aquatic animals, and products containing fish in Burma's territorial waters, to certify at the time of importation the waters from which the fish or aquatic animal was taken. The section also provides that is shall not apply if the President certifies to Congress that it violates U.S. obligations under the GATT.

The purpose of this section is to impose trade santions on Burma because of its repressive Government, its gross violations of human rights, and its poor record in controlling narcotics trade. Burma's current military leaders seized power in September 1988 and lethally suppressed sustained, countrywide, pro-democracy demonstrations. Burma's repressive policies are fully described in the State Department's *Country Reports on Human Rights Practices for 1989*, February 1990, submitted to the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations. As a result of Burma's repressive policies, the United States, the EC, and Japan suspended aid to Burma. In April 1989, the President also suspended benefits under the GSP program because of Burma's failure to protect internationally recognized worker rights.

At the same time, the State Department reports that Burma's efforts in combatting narcotics production and trafficking have decreased. In its March 1990 *International Narcotics Control Strategy Report*, the State Department reports that heroin refining and narcotics trafficking have increased in Burma due to lack of enforcement, and a policy of accomodation with the main narcotics producing and trafficking organizations. As a result, in 1989 and 1990, the President "decertified" Burma under the Narcotics Control Trade Act.

Desperate for hard currency to maintain its military forces, in late 1988 and early 1989 the military Government began a program of offering concessions to foreign nationals for Burmese logging and fishing rights. The Committee believes, therefore, that the products of these concessions are an appropriate target for sanctions.

III. Vote of the Committee in Reporting the Bill

In compliance with section 133 of the Legislative Reorganization Act of 1946, the Committee states that the bill, as amended, was ordered favorably reported by voice vote.

IV. Budgetary Impact of the Bill

In compliance with sections 308 and 403 of the Congressional Budget Act of 1974, and paragraph 11(a) of Rule XXVI of the Standing Rules of the Senate, the following letters have been received from the Congressional Budget Office regarding the budgetary impact of the bill:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 16, 1990.

Hon. LLOYD BENTSEN,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the budget effects of Title I of the trade and tariff legislation, as ordered reported by the Senate Committee on Finance on March 1, 1990. Based on over 150 Senate bills introduced in the past year, Title I would reduce or suspend tariffs on a number of imported products, extend many existing duty reductions and suspensions, and make miscellaneous changes in tariff treatment of a number of imported items. The table below shows the total revenue and deficit effects of Title I.

BUDGET EFFECTS OF TITLE I

[By fiscal year, in millions of dollars]

	1990	1991	1992	1993	1994	1995
Net revenue effects	0	−127	−110	−27	(1)	(1)
Net deficit effects	0	127	110	27	(1)	(1)

[1] Negligible.

The estimates are based on legislative language received by CBO on March 12, 1990 and information from the International Trade Commission (ITC). For some sections, CBO does not have sufficient information from the ITC to complete revenue estimates. If final legislative language differs, or if new information from the ITC becomes available, revenue estimates could differ.

If you have any questions regarding these estimates, please contact me or your staff may wish to contact Eric Nicholson at 226–2678.

Sincerely,

ROBERT D. REISCHAUER, *Director.*

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 21, 1990.

Hon. LLOYD BENTSEN,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed Title II of H.R. 1594, the Caribbean Basin Economic Recovery Expansion Act of 1990, as ordered reported by the Senate Committee on Finance on March 1, 1990. This estimate supersedes the one sent on March 14, 1990 and reflects revisions to the preliminary legislative language on which the prior estimate was based. CBO has received information from the International Trade Commission, the Customs Service and the Office of the United States Trade Representative in estimating the budget effects of this title. The budget estimates are shown on the table below.

BUDGET EFFECTS OF TITLE II

[By fiscal year, in millions of dollars]

	1991	1992	1993	1994	1995
Estimated revenues	−2	−2	−3	−3	−3
Estimated authorization level	1	1			
Estimated outlays	1	1			
Net deficit effect	3	3	3	3	3

Title II of H.R. 1594 would repeal the current expiration date of September 30, 1995, for duty-free treatment of eligible imports from Caribbean Basin Initiative (CBI) beneficiary countries. Permanent duty-free treatment of these imports would be established. This change would have no budgetary effect during the projection period.

The duty-free allowance for U.S. residents returning from CBI beneficiary countries would be raised from $400 to $600 and from $800 to $1,200 for residents returning from insular possessions. Residents returning from the Caribbean would also be able to bring one additional liter of alcoholic beverage into the U.S. duty free, if it is produced in a CBI country. Current law provides duty-free allowance for one liter of alcoholic beverage. Information necessary to estimate these provisions is not available.

In addition, this legislation would provide duty-free treatment to certain specific articles assembled in CBI beneficiary countries from components of 100 percent U.S. content. Under current law, the value added to a certain article as a result of transformations made in a CBI beneficiary country is subject to duty. Section 2007 of H.R. 1594 would exempt from duty the value added as long as these articles are not specifically listed in the Caribbean Basin Economic Recovery Act as ineligible for duty-free treatment. CBO estimates the resulting revenue loss from this provision to be $2 million in 1991 and 1992, and $3 million each year thereafter.

Section 2008 of this legislation would amend the Trade Act of 1974. This provision would require that an article must be the growth, product, or manufacture of a beneficiary developing country in order to receive duty-free treatment under the Generalized System of Preferences. Information necessary to estimate this provision is not available.

H.R. 1594 would also set up a pilot preclearance program in a Caribbean Basin country during fiscal years 1991 and 1992 for testing the extent to which preclearance programs can assist the development of tourism. CBO estimates that this would increase outlays by $1 million in each of fiscal years 1991 and 1992 assuming appropriation of the necessary amounts. During fiscal year 1993, the Commissioner of Customs would be required to submit a report to the Congress on the program. Additionally, the President would be required to report to the Congress on the CBI in 1993 and every three years thereafter. CBO does not expect that preparing these reports would result in any significant additional costs to the government.

Section 2011 of Title II would authorize the federal government to make matching grants to states for scholarships to students

from Central American and Caribbean countries. The federal share is to be no less than 50 percent of the scholarship, and shall be funded from amounts otherwise made available for Latin America and Caribbean regional programs under the economic support fund of the Foreign Assistance Act of 1961. The scholarship assistance program is to be administered by the Agency for International Development. This legislation encourages but does not require state participation, and so does not impose additional costs to state or local governments.

If you have any questions regarding these estimates, please contact me or your staff may wish to contact Caroline Ratcliffe at 226–2720 or Michael Sieverts at 226–2860.

Sincerely,

ROBERT F. HALE
(For Robert D. Reischauer, Director).

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 20, 1990.

Hon. LLOYD BENTSEN,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for Title III, the Authorization of Appropriations for Trade Agencies, of H.R. 1594, an act to make miscellaneous and technical changes to various trade laws.

If you wish further details on the estimate, we will be pleased to provide them.

Sincerely,

ROBERT F. HALE
(For Robert D. Reischauer, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: Title III (Authorization of Appropriations for Trade Agencies) of H.R. 1594.

2. Bill title: An Act to make miscellaneous and technical changes to various trade laws.

3. Bill status: As ordered reported by the Senate Committee on Finance, March 1, 1990.

4. Bill purpose: This legislation would authorize appropriations for 1991 and 1992 for the U.S. Customs Service, the International Trade Commission (ITC), and the Office of the U.S. Trade Representative (OUSTR). The total amounts authorized for 1991 and 1992, respectively, would be $1.3 billion and $1.4 billion for the Customs Service, $42 million and $47 million for the ITC, and $21 million and $19 million for the OUSTR.

5. Estimated cost to the Federal Government:

[By fiscal year, in million of dollars]

	1991	1992	1993	1994	1995
Authorization level:					
ITC (Function 150)	42	47			
Customs Service (Function 750)	1,336	1,417			
OUSTR (Function 800)	21	19			
Total	1,339	1,483			
Estimated outlays:					
ITC (Function 150)	37	44	4		
Customs Service (Function 750)	1,093	1,303	236	95	19
OUSTR (Function 800)	18	19	3		
Total	1,148	1,366	243	95	19

Including outlays from prior year appropriations, total outlays would be $41 million in 1991 and $45 million in 1992 for the ITC, $1,340 million and $1,409 million for the Customs Service, and $21 million and $19 million for the OUSTR.

Basis of estimate: This estimate assumes that the full amounts authorized would be appropriated for fiscal years 1991 and 1992. The estimated outlays are based on historical spending patterns.

6. Estimated cost to State and local government: None.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Kent Christensen, James Hearn, and Michael Sieverts.

10. Estimate approved by: C.G. Nuckols for James L. Blum, Assistant Director for Budget Analysis.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 20, 1990.

Hon. LLOYD BENTSEN,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for Title IV, Miscellaneous Provisions, of H.R. 1594, an act to make miscellaneous and technical changes to various trade laws.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT F. HALE
(For Robert D. Reischauer, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: Title IV (Miscellaneous Provisions) of H.R. 1594.

2. Bill title: An act to make miscellaneous and technical changes to various trade laws.

3. Bill status: As ordered reported by the Senate Committee on Finance, March 1, 1990.

4. Bill purpose: Title IV of this legislation would extend the Customs Service user fees through fiscal year 1991, and would modify the fees collected for merchandise processing. Under current law, the fees would expire at the end of fiscal year 1990; they consist of a merchandise processing fee and various fees on passengers and vehicles.

Under this legislation, the rate for the merchandising processing fee in 1990 would be 0.15 percent of the merchandise value, with a maximum payment of $400 on automated entries and $403 on manual entries, and a minimum payment of $20 for automated entries and $23 for manual entries. The legislation would also establish fees of $11 (automated) and $14 (manual) on informal entries, and would allow importers to consolidate their filings when calculating the fees owed.

This legislation would not change the fees collected on passengers and vehicles, but would allow the Customs Service to use any surplus receipts from these fees for additional inspection services.

Title IV would also revise the procedures for extending most-favored-nation status to non-market economy countries and would prohibit certain imports from Burma.

5. Estimated cost to the Federal Government: The estimated budget impact of these proposals relative to the CBO baseline is shown in the following table for fiscal years 1991 to 1995.

[By fiscal year, in millions of dollars]

	1991	1992	1993	1994	1995
Offsetting receipts:					
Estimated budget authority	−622	−40			
Estimated outlays	−622	−40			
Direct spending authority:					
Estimated budget authority	132	25			
Estimated outlays	129	28			
Total:					
Estimated budget authority	−490	−15			
Estimated outlays	−493	−12			

The budgetary impact of this legislation would fall within function 750.

Basis of estimate: Based on information provided by the Customs Service, CBO estimates that receipts from the merchandise processing fee would be $490 million in 1991 and $15 million in 1992. This estimate is based on an assumption that the number of formal merchandise entries would be 10.8 million, of which 275,000 would pay the maximum amount and 5.9 million would pay the minimum amount; we have also assumed that the value of the goods subject to the 0.15 percent rate would be $217 billion. The estimate includes $68 million in receipts from fees on informal entries. Projected receipts were reduced by $35 million to reflect the provisions of the legislation allowing for consolidated filings. Various exemptions and the effects of the U.S./Canada Free Trade Agreement reduce estimated receipts from the merchandise processing fees by another $85 million.

We estimate that additional receipts from passenger and vehicle fees would be $132 million in 1991 and $25 million in 1992. This estimate is based on information provided by the Customs Service and assumes that the fees collected by airlines would be given to Customs on a quarterly basis. The passenger and vehicle fee receipts are available for spending by the Customs Service without appropriation, and therefore would result in additional direct spending. We have assumed that all of the additional passenger and vehicle fee receipts would be obligated in the year collected.

Other provisions of Title IV would not have a significant effect on federal revenues or spending.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Michael Sieverts.

10. Estimate approved by: C.G. Nuckols for James L. Blum, Assistant Director for Budget Analysis.

V. Regulatory Impact of the Bill

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill will not significantly regulate any individuals or businesses, will not impact on the personal privacy of individuals, and will result in no significant additional paperwork.

VI. Changes in Existing Law

Pursuant to the requirements of paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill H.R. 1594, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

UNITED STATES CODE

* * * * * * *

TITLE 19—CUSTOMS DUTIES

CHAPTER 1—COLLECTION DISTRICTS, PORTS, AND OFFICERS

* * * * * * *

§ 58c. Fees for certain customs services

(a) Schedule of Fees.—In addition to any other fee authorized by law, the Secretary of the Treasury shall charge and collect the following fees for the provision of customs services in connection with the following:

* * * * * * *

[(9) For the processing of any merchandise (other than an article that is—

[(A) provided for under any item in chapter 98 of the Harmonized Tariff Schedule of the United States, except subheading 9802.00.60 or 9802.00.80,

[(B) a product of an insular possession of the United States, or

[(C) a product of any country listed in general note 3(c)(v) of such Schedule)

that is formally entered, or withdrawn from warehouse for consumption—

[(i) after November 30, 1986, and

[(ii) before October 1, 1987;

a fee in an amount equal to 0.22 percent ad volorem.

[(10) For the processing of any merchandise (other than an article described in subparagraph (A), (B), or (C) of paragraph (9)) that is formally entered, or withdrawn from warehouse for consumption, during any fiscal year occurring after September 30, 1987; a fee in an amount equal to the lesser of—

[(A) 0.17 percent ad valorem, or

[(B) an ad valorem rate which the Secretary of the Treasury estimates will provide a total amount of revenue during the fiscal year equal to—

[(i) the total amount authorized to be appropriated for such fiscal year to the United States Customs Service for salaries and expenses incurred in conducting commercial operations during such fiscal year, reduced by

[(ii) the excess, if any, of—

[(I) the total amount authorized to be appropriated for such salaries and expenses for such fiscal year, over

[(II) the total amount actually appropriated for such salaries and expenses for such fiscal year;

except that if appropriations are not authorized for a fiscal year, the fee imposed under this paragraph with respect to that year shall be in an amount equal to 0.17 percent ad valorem.]

(9) For the processing of any merchandise that is informally entered—

(A) $14 if the entry is manual, and

(B) $11 if the entry is automated.

(10) For the processing of any merchandise that is formally entered, or withdrawn from warehouse for consumption, during any fiscal year, a fee in an amount equal to 0.15 percent ad valorem.

(b) LIMITATIONS ON FEES.—

* * * * * * *

(8)*(A) The fee charged under subsection (a)(10)—*

(i) shall not exceed—

(I) $403 for each manual entry, or

(II) $400 for each automated entry, and

(ii) shall not be less than—

(I) $23 for each manual entry, or

(II) $20 for each automated entry.

(B) No fee may be charged under paragraph (9) or (10) of subsection (a) for the processing of any article that is—

(i) provided for under any item in chapter 98 of the Harmonized Tariff Schedule of the United States, except subheading 9802.00.60 or 9802.00.80,

(ii) a product of an insular possession of the United States, or

(iii) a product of any country listed in subdivision (c)(ii)(B) or (c)(v) of general note 3 to such Schedule.

(C) For purposes of applying paragraphs (9) or (10) of subsection (a), expenses incurred in conducting commercial operations do not include costs incurred in—

(i) air passenger processing,

(ii) export control, or

(iii) international affairs.

[(A)] *(D)* The fee charged under subsection (a) (9) or (10) of this section with respect to the processing of merchandise shall—

(i) be paid by the importer of record of the merchandise;

(ii) [be based] *except as otherwise provided in this paragraph, be based* on the value of the merchandise as determined under section 1401a of this title;

(iii) in the case of merchandise classified under subparagraph 9802.00.60 of the Tariff Schedules of the United States, be applied to the value of the foreign repairs or alterations to the merchandise; [and]

(iv) in the case of merchandise classified under subparagraph 9802.00.80 of such Schedules, be applied to the full value of the merchandise, less the cost or value of the component United States products[.]*; and*

(v) in the case of agricultural products of the United States that are processed and packed in a foreign trade zone, be applied only to the value of material used to make the container for such merchandise, if such merchandise is subject to entry and the container is of a kind normally used for packing such merchandise.

With respect to merchandise that is classified under subparagraph 9802.00.60 or 807.00 of such Schedules and is duty-free, the Secretary may collect the fee charged on the processing of the merchandise under subsection (a) (9) or (10) of this section on the basis of aggregate data derived from financial and manufacturing reports used by the importer in the normal course of business, rather than on the basis of entry-by-entry accounting.

[(B)] *(E)*(i) By no later than the date that is 5 days after the date on which any funds are appropriated to the United States Customs Service for salaries or expenses incurred in conducting commercial operations, the Secretary of the Treasury shall determine the ad valorem rate of the fee charged under subsection (a)(10) of this section and shall publish the determination in the Federal Register. Such ad valorem rate shall apply with respect to services provided for the processing of entries, and withdrawals from warehouse, for consumption made after the date that is 60 days after the date of such determination.

(ii) No determination is required under clause (i) with respect to an appropriation to the United States Customs Service if the funds appropriated are available for less than 60 days.

(9) The Secretary may reduce by an amount he considers equitable the fees charged under subsection (a) of this section for the processing of merchandise entries at facilities at which users reimburse the United States Customs Service, pursuant to section 9701 of Title 31 or section 58b of this title, for the services that it provides at the facilities.

(10) The fee charged [under subsection (a)(10)] *under paragraph (9) or (10) of subsection (a)* of this section with respect to goods of Canadian origin (as determined under section 202 of the United States-Canada Free-Trade Agreement Implementation Act of 1988) shall be in accordance with article 403 of the United States-Canada Free-Trade Agreement. [Any service for which an exemption from such fee is provided by reason of this paragraph may be funded with money contained in the Customs User Fee Account.]

* * * * * * *

(f) DISPOSITION OF FEES.—(1) There is established in the general fund of the Treasury a separate account which shall be known as the "Customs User Fee Account". Notwithstanding section 1524 of this title, there shall be deposited as offsetting receipts into the Customs User Fee Account all fees collected under subsection (a) of this section except that portion of such fees that is required under paragraph (3) for the direct reimbursement of appropriations.

(2) [All funds] *as otherwise provided in this subsection, all funds* in the Customs User Fee Account shall be available, to the extent provided for in appropriations Acts, to pay the costs (other than costs for which direct reimbursement under paragraph (3) is required) incurred by the United States Customs Service in conducting commercial operations, including, but not limited to, all costs associated with commercial passenger, vessel, vehicle, aircraft, and cargo processing. So long as there is a surplus of funds in the Customs User Fee Account, the Secretary of the Treasury may not reduce personnel staffing levels for providing commercial clearance and preclearance services.

[(3) The Secretary of the Treasury, in accordance with section 1524 of this title and without regard to apportionment or any other administrative practice or limitation, shall directly reimburse, from the fees collected under subsection (a) of this section, each appropriation for the amount paid out of that appropriation for the costs incurred by the Secretary in providing—

[(A) inspectional overtime services; and

[(B) all preclearance services; for which the recipients of such services are not required to reimburse the Secretary of the Treasury. Reimbursement under this paragraph shall apply with respect to each fiscal year occurring after September 30, 1987, and shall be made at least quarterly. To the extent necessary, reimbursement of appropriations under this paragraph may be made on the basis of estimates made by the Secretary of the Treasury of the costs for inspectional overtime and preclearance services, and adjustments shall be made in subsequent reimbursements to the extent that the estimates were in excess of, or less than, the amounts required to be reimbursed.]

(3)(A) The Secretary of the Treasury, in accordance with section 524 of the Tariff Act of 1930 and without regard to apportionment or any other administrative practice or limitation, shall directly reimburse, from the fees collected under subsection (a) (other than paragraph (9) or (10) of subsection (a)), each appropriation for the amount paid out of that appropriation for the costs incurred by the Secretary—

(i) in providing—

(I) inspectional overtime services, and

(II) all preclearance services, for which the recipients of such services are not required to reimburse the Secretary of the Treasury, and

(ii) to the extent funds remain available to make reimbursements under clause (i), in providing such additional personnel and equipment (distributed on a basis proportionate to the fees collected under subsection (a), other than paragraph (9) or (10) of subsection (a)), and in paying such other necessary expenses, as may be necessary to provide service to those persons paying such fees.

(B) Reimbursement under this paragraph shall be made at least quarterly. To the extent necessary, reimbursement of appropriations under this paragraph may be made on the basis of estimates made by the Secretary of the Treasury and adjustments shall be made in subsequent reimbursements to the extent that the estimates were in excess of, or less than, the amounts required to be reimbursed.

(C) At the close of each fiscal year, the Secretary of the Treasury shall submit a report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives summarizing the expenditures for which reimbursement has been provided under subparagraph (A)(ii).

(4) No funds may be expended from the Customs User Fee Account, and no reimbursement made under paragraph (3), for the costs incurred in providing any service described in paragraph (9) or (10) of subsection (a) which is exempt from the fee charged under such paragraph.

[4**]** *(5)* At the close of fiscal year 1988 and each even-numbered fiscal year occurring thereafter, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate regarding how the fees imposed under subsection (a) of this section should be adjusted in order that the balance of the Customs User Fee Account approximates a zero balance. Before making recommendations regarding any such adjustments, the Secretary of the Treasury shall provide adequate opportunity for public comment. The recommendations shall, as precisely as possible, propose fees which reflect the actual costs to the United States Government for the commercial services provided by the United States Customs Service.

* * * * * * *

(j) EFFECTIVE DATES.—(1) Except as otherwise provided in this subsection, the provisions of this section, and the amendments and repeals made by this section shall apply with respect to customs services rendered after the date that is 90 days after April 7, 1986.

(2) Fees may be charged under subsection (a)(5) of this section only with respect to customs services rendered in regard to arriving passengers using transportation for which documents or tickets were issued after the date that is 90 days after April 7, 1986.

(3) Fees may not be charged under subsection (a) of this section after September 30, [1990] *1991.*

* * * * * * *

CHAPTER 1A—FOREIGN TRADE ZONES

Sec.
81c. Admission of foreign merchandise.
(a) Treatment; shipment to customs territory; appraisal, reshiment to zone.
(b) Exemption for bicycle component parts.
81o. Residents zone.
(a) to (d) [See main volume for text).
(e) Exemption from State and local ad valorem taxation of tangible personal property.
81p. Accounts and recordkeeping.
(a) [See main volume for text].
(b) Annual report by grantee.
(c) Report to Congress.

* * * * * * *

§ 81c. Admission of foreign merchandise

(a) TREATMENT; SHIPMENT TO CUSTOMS TERRITORY; APPRAISAL; RESHIPMENT TO ZONE.—

* * * * * * *

(b) EXEMPTION FOR BICYCLE COMPONENT PARTS.—The exemption from the customs laws of the United States provided under subsection (a) of this section shall not be available [before January 1, 1991] *on or before December 31, 1992,* to bicycle component parts unless such parts are reexported from the United States, whether in the original package, as components of a completely assembled bicycle, or otherwise.

(c) ARTICLES MANUFACTURED OR PRODUCED FROM DOMESTIC DENATURED DISTILLED SPIRITS.—*(1)* Notwithstanding the provisions of the fifth proviso of subsection (a) of this section, any article (within the meaning of section 5002(a)(14) of Title 26) may be manufactured or produced from [domestic] denatured distilled spirits *which have been withdrawn free of tax from a distilled spirits plant (within the meaning of section 5002(a)(1) of the Internal Revenue Code of 1986),* and articles thereof, in a zone.

(2) Notwithstanding the provisions of the fifth provison of subsection (a), distilled spirits which have been removed from a distilled spirits plant (as defined in section 5002(a)(1) of the Internal Revenue Code of 1986) upon payment or determination of tax may be used in the manufacture of production of medicines, medicinal preparation, food products, flavors, or flavoring extracts, which are unfit for beverage purposes, in a zone. Such products will be eligible for drawback under the internal revenue laws under the same conditions applicable to similar manufacturing or production operations occurring in customs territory.

* * * * * * *

CHAPTER 4—TARIFF ACT OF 1930

Subtitle II—Special Provisions

PART 1—MISCELLANEOUS

* * * * * * *

§ 1309. Supplies for certain vessels and aircraft

(b) DRAWBACK.—Articles withdrawn from bonded warehouses, bonded manufacturing warehouses, continuous customs custody elsewhere than in a bonded warehouse, or from a foreign-trade zone, *imported articles* and articles of domestic manufacture or production, laden as supplies upon any such vessel or aircraft of the United States or laden as supplies (including equipment) upon, or used in the maintenance or repair of, any such foreign vessel or aircraft, shall be considered to be exported within the meaning of the drawback provisions of this chapter.

* * * * * * *

§ 1313. Drawback and refunds

(o) For purposes of subsection (g), vessels built for Canadian account and ownership, or for the Government of Canada, may not be considered to be built for any foreign account and ownership, or for the government of any foreign country, except to the extent that the materials in such vessels are drawback eligible goods under section 204(a) of the United States-Canada Free-Trade Agreement Implementation Act of 1988.

(p)(1) When the articles manufactured or produced under subsection (a) or (b), or duty paid imported articles, are stored in common storage with other articles of the same kind and quality that were otherwise manufactured or produced, drawback shall be paid on the articles withdrawn for export from such common storage (regardless of the source or origination of the articles withdrawn if—

(A) inventory records on a monthly basis (not daily or transaction by transaction) demonstrate sufficient quantities of imported duty-paid articles, or articles manufactured or produced under subsection (a) or (b), in the common storage against which such withdrawal shall be designated;

(B) the drawback paid does not exceed the amount of drawback that would be payable hereunder had all of the articles withdrawn from common storage been imported and duty-paid, or manufactured or produced under subsection (a) or (b); and

(C) certificates of delivery, or certificates of manufacture and delivery, establishing the drawback eligibility of the imported duty-paid articles, or articles manufactured or produced under subsection (a) or (b) when required, are filed with the drawback entry.

(2) For purposes of this section, the term "common storage" includes all articles of the same kind and quality stored in an area regardless of the number of bins, tanks, or other containers utilized.

PART II—UNITED STATES INTERNATIONAL TRADE COMMISSION

§ 1330. Organization of Commission.

* * * * * * *

(e) AUTHORIZATION OF APPROPRIATIONS.—

* * * * * * *

[(2) There are authorized to be appropriated to the Commission for necessary expenses (including the rental of conference rooms in the District of Columbia and elsewhere) for fiscal year 1990 not to exceed $39,943,000; of which not to exceed $2,500 may be used, subject to approval by the Chairman of the Commission, for reception and entertainment expenses. No part of any sum that is appropriated under the authority of this paragraph may be used by the Commission for the making of any special study, investigation, or report that is requested by any agency of the executive branch unless that agency reimburses the Commission for the cost thereof.]

(2)(A) There are authorized to be appropriated to the Commission for necessary expenses (including the rental of conference rooms in the District of Columbia and elsewhere)—

(i) $42,430,000 for fiscal year 1991, and

(ii) $46,673,000 for fiscal year 1992.

(B) Of the amounts authorized to be appropriated under subparagraph (A) for each fiscal year, $2,500 may be used, subject to approval by the

(C) No part of any sum that is appropriated under the authority of subparagraph (A) may be used by the Commission for the making of any special study, investigation, or report that is requested by any agency of the executive branch, unless that agency reimburses the Commission for the cost thereof.

* * * * * * *

Subtitle III—Administrative Provisions

* * * * * * *

PART II—REPORT, ENTRY, AND UNLANDING OF VESSELS AND VEHICLES

* * * * * * *

§ 1466. Equipment and repairs of vessels

* * * * * * *

(g) FISH NET AND NETTING PURCHASES AND REPAIRS.—The duty imposed by subsection (a) of this section shall not apply to entries on and after October 1, 1979, and before January 1, 1982, of—

(1) tuna purse seine nets and netting which are equipments or parts thereof,

(2) repair parts for such nets and netting, or materials used in repairing such nets and netting, or

(3) the expenses of repairs of such nets and netting,

for any United States documented tuna purse seine vessel of greater than 500 tons carrying capacity or any United States tuna purse seine vessel required to carry a certificate of inclusion under the general permit issued to the American Tunaboat Association pursuant to section 1374 of Title 16.

(h) The duty imposed by subsection (a) of this section shall not apply to—

(1) the cost of any equipment, or any part of equipment, purchased for, or the repair parts or materials to be used, or the expense of repairs made in a foreign country with respect to, LASH (Lighter Aboard Ship) barges documented under the laws of the United States and utilized as cargo containers, or

(2) the cost of spare repair parts or materials (other than nets or nettings) which the owner or master of the vessel certifies are intended for use aboard a cargo vessel, documented under the laws of the United States and engaged in the foreign or coasting trade, for installation or use on such vessel, as needed, in the United States, at sea, or in a foreign country, but only if duty is paid under appropriate commodity classifications of the Harmonized Tariff Schedule of the United States upon first entry into the United States of each such spare part purchased in, or imported from, a foreign country.

CHAPTER 10—CUSTOMS SERVICE

* * * * * * *

§ 2075. Customs Service appropriations authorization

* * * * * * *

[(b) AUTHORIZATION OF APPROPRIATIONS.—

[(1) FOR NONCOMMERCIAL OPERATIONS.—There are authorized to be appropriated for fiscal year 1990 not to exceed $418,822,000 for the salaries and expenses of the United States Customs Service that are incurred in noncommercial operations, of which at least $26,240,000 shall be used to increase the number of customs inspectors for contraband enforcement teams and other drug interdiction personnel of the United States Customs Service to a number which exceeds the total number of such inspectors and personnel employed by the United States Customs Service on September 30, 1988, by the equivalent of at least 435 full-time employees, and for related equipment.]

(b) Authorization of Appropriations.—

(1) There are authorized to be appropriated for the salaries and expenses of the United States Customs Service that are incurred in noncommercial operations (other than the air interdiction program)—

(A) $521,882,000 for fiscal year 1991, and

(B) $547,958,000 for fiscal year 1992.

(2) There are authorized to be appropriated from the Customs User Fee Account for the salaries and expenses of the United

States Customs Service that are incurred in commercial operations—

(A) $671,645,000 for fiscal year 1991, and

(B) $705,569,000 for fiscal year 1992.

(3) There are authorized to be appropriated for the operation (including salaries and expenses) and maintenance of the air interdiction program of the United States Customs Service—

(A) $143,047,000 for fiscal year 1991, and

(B) $163,047,000 for fiscal year 1992.

* * * * * * *

CHAPTER 12—TRADE ACT OF 1974

* * * * * * *

Subchapter I—Negotiating and Other Authority

PART 1—RATES OF DUTY AND OTHER TRADE BARRIERS

* * * * * * *

§ 2112. Nontariff barriers to and other distortions of trade

* * * * * * *

United States-Canada Free-Trade Agreement Implementation Act of 1988. Pub.L 101-449, Sept. 28, 1988, 102 Stat. 1851, provided that:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

"(a) SHORT TITLE.—This Act [set out in this note] may be cited as the 'United States Canada Free-Trade Agreement Implementation Act of 1988'.

* * * * * * *

(b) PANELS AND COMMITTEES.—

[(1) There are authorized to be appropriated to the Office of the United States Trade Representative for fiscal year 1990, $1,492,000 to pay during such fiscal year the United States share of the expenses of binational panels and extraordinary challenge committees convened pursuant to chapter 19 of the Agreement.]

(1) There are authorized to be appropriated to the Office of the United States Trade Representative—

(A) $2,050,000 for fiscal year 1991, and

(B) $2,050,000 for fiscal year 1992,

to pay during each of such fiscal years the United States share of the expenses of binational panels and extraordinary challenge committees convened pursuant to chapter 19 of the Agreement.

* * * * * * *

PART 4—OFFICE OF UNITED STATES TRADE REPRESENTATIVE

* * * * * * *

§ 2171. Structure, functions, powers, and personnel

* * * * * * *

(g) AUTHORIZATION OF APPROPRIATIONS.—(1)[(A) There are authorized to be appropriated for fiscal year 1990 to the Office for the purposes of carrying out its functions not to exceed $19,651,000.] *(A) There are authorized to be appropriated for the purpose of carring out the functions of the Office—*

(i) $21,200,000 for fiscal year 1991, and

(ii) $19,027,000 for fiscal year 1992.

(B) Of the amounts authorized to be appropriated under subparagraph (A) [for fiscal year 1990] *for each fiscal year*

(i) not to exceed [$89,000] *$98,000* may be used for entertainment and representation expenses of the Office; and

(ii) not to exceed $1,000,000 shall remain available until expended.

PART 5—CONGRESSIONAL PROCEDURES WITH RESPECT TO PRESIDENTIAL ACTIONS

§ 2191. Bills implementing trade agreements on nontariff barriers and resolutions approving commercial agreements with Communist countries

* * * * * * *

(b) DEFINITIONS.—For purposes of this section—

(1) The term "implementing bill" means only a bill of either House of Congress which is introduced as provided in subsection (c) of this section with respect to one or more trade agreements submitted to the House of Representatives and the Senate under section 2112 or section 2903(a)(1) of this title and which contains—

* * * * * * *

(2) The term "implementing review bill *or resolution*" means an implementing bill, *or approval resolution* which contains one or more revenue measures by reason of which it must originate in the House of Representatives.

(3) The term "approval resolution" means only a [concurrent] *joint* resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the extension of nondiscriminatory treatment with respect to the products of ———— transmitted by the President to the Congress on ————.", the first blank space being filled with the name of the country involved and the second blank space being filled with the appropriate date.

* * * * * * *

(e) PERIOD FOR COMMITTEE AND FLOOR CONSIDERATION.—

* * * * * * *

(2) The provisions of paragraph (1) shall not apply in the Senate to an implementing [revenue bill] *revenue bill or resolution.* An implementing [revenue bill] *revenue bill or resolution* received from the House shall be referred to the appropriate committee or committees of the Senate. If such committee or committees have not reported [such bill] *such bill or resolution* at the close of the 15th day after its receipt by the Senate (or, if later, before the close of the 45th day after the corresponding implementing [revenue bill] *revenue bill or resolution* was introduced in the Senate), such committee or committees shall be automatically discharged from further consideration of [such bill] *such bill or resolution* and it shall be placed on the calendar. A vote on final passage of [such bill] *such bill or resolution* shall be taken in the Senate on or before the close of the 15th day after [such bill] *such bill or resolution* is reported by the committee or committees of the Senate to which it was referred, or after such committee or committees have been discharged from further consideration of [such bill] *such bill or resolution.*

§ 2192. Resolutions disapproving certain actions

(a) CONTENTS OF RESOLUTIONS.—(1) For purposes of this section, the term "resolution" means only—

(A) a joint resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the action taken by, or the determination of, the President under section 203 of the Trade Act of 1974 transmitted to the Congress on ———.", the blank space being filled with the appropriate date; and

[(B) a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: "That the ——— does not approve ——— transmitted to the Congress on ———.", with the first blank space being filled with the name of the resolving House, the second blank space being filled in accordance with paragraph (2), and the third blank space being filled with the appropriate date.]

(B) a joint resolution of the two House of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve ——— transmitted to the Congress on ———.", with the first blank space being filled in accordance with paragraph (2), and the second blank space being filled with the appropriate date.

(2) The second blank space referred to in paragraph (1)(B) shall be filled as follows:

(A) in the case of a resolution referred to in section 1303(e) of this title, with the phrase "the termination of the Secretary of the Treasury under section 303(d) of the Tariff Act of 1930"; *and*

[(B) in the case of a resolution referred to in section 2437(c)(2) of this title with the phrase "the extension of nondiscriminatory treatment with respect to the prod[illegible] of ———"

(with the blank space being filled with the name of the country involved); and]

[(C)] *(B)* in the case of a resolution referred to in section 2437(c)[(3)] *(2)* of this title, with the phrase "the report of the President submitted under section ——— of the Trade Act of 1974 with respect to ———" (with the first blank space being filled with "402(b)" or "409(b)", as appropriate, and the second blank space being filled with the name of the country involved).

* * * * * * *

[(f) SPECIAL RULE FOR CONCURRENT RESOLUTIONS.—In the case of a resolution described in subsection (a)(1) of this section, if prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same matter from the other House, then—

[(1) the procedure in that House shall be the same as if no resolution had been received from the other House; but

[(2) the vote on final passage shall be on the resolution of the other House.]

(f) FINAL PASSAGE IN THE SENATE.—A resolution that has passed the House of Representatives shall, when received in the Senate, be placed on the calendar. The procedures in the Senate with respect to a resolution introduced in the Senate that concerns the same matter as the resolution that passed the House of Representatives shall be the same as if no resolution had been received from the House of Representatives, but the vote on final passage in the Senate shall be on the resolution that passed the House of Representatives.

* * * * * * *

§ 2193. Resolutions relating to extension of waiver authority under section 402 of the Trade Act of 1974

[(a) CONTENTS OF RESOLUTIONS.—For purposes of this section, the term "resolution" means only—

[(1) a concurrent resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the extension of the authority contained in section 402(c)(1) of the Trade Act of 1974 recommended by the President to the Congress on ———, except with respect to ———.", with the first blank space being filled with the appropriate date and the second blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the except clause being omitted if there is no such country; and

[(2) a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: "That the ——— does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on ——— with respect to ———.", with the first blank space being filled with the name of the resolving House, the second blank space being filled with the appropriate date, and the third blank space being

filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the with-respect-to clause being omitted if the extension of the authority is not approved with respect to any country.]

(a) CONTENTS OF RESOLUTION.—For purposes of this section, the term "resolution" means only a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on ——— with respect to ———.", with the first blank space being filled with the appropriate date, and the second blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the clause beginning with "with respect to" being omitted if the extension of the authority is not approved with respect to any country.

(b) APPLICATION OF RULES OF SECTION 2192 OF THIS TITLE; EXCEPTIONS.—

(1) Except as provided in this section, the provisions of section 2192 of this title shall apply to resolutions described in subsection (a) of this section.

(2) In applying section 2192(c)(1) of this title, all calendar days shall be counted[, and in the case of a resolution related to section 2432(d)(4) of this title, 20 calendar days shall be substituted for 30 days].

(3) That part of section 2192(d)(2) of this title which provides that no amendment is in order shall not apply to any amendment to a resolution which is limited to striking out or inserting the names of one or more countries or to striking out or inserting [an except clause, in the case of a resolution described in subsection (a)(1) of this section, or] a with-respect-to clause[, in the case of a resolution described in subsection (a)(2)] of this section. Debate in the House of Representatives on any amendment to a resolution shall be limited to not more than 1 hour which shall be equally divided between those favoring and those opposing the amendment. A motion in the House to further limit debate on an amendment to a resolution is not debatable.

(4) That part of section 2192(e)(4) of this title which provides that no amendment is in order shall not apply to any amendment to a resolution which is limited to striking out or inserting the names of one ore more countries or to striking out or inserting [an except clause, in the case of a resolution described in subsection (a)(1) of this section, or] a with-respect-to clause[, in the case of a resolution described in subsection (a)(2)] of this section. The time limit on a debate on a resolution in the Senate under section 2192(e)(2) of this title shall include all amendments to a resolution. Debate in the Senate on any amendment to a resolution shall be limited to not more than 1 hour, to be equally divided between , and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution, except that in the event the manager of the resolution is in favor of any such amendment, the time in opposition thereto shall be controlled

by the minority leader or his designee. The majority leader and minority leader may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any amendment. A motion in the Senate to further limit debate on an amendment to a resolution is not debatable.

(c) CONSIDERATION OF SECOND RESOLUTION NOT IN ORDER.—It shall not be in order in either the House of Representatives or the Senate to consider a resolution with respect to a recommendation of the President under section 2432(d) of this title (other than a resolution described in subsection [(a)(1)] *(a)* of this section received from the other House), if that House has adopted a resolution with respect to the same recommendation.

§ 2194. Special rules relating to Congressional procedures

* * * * * * *

(b) For purposes of sections 2253(c) *and 2437(c)(2)*[, 2437(c)(2), and 2437(c)(3)] of this title, the 90-day period referred to in [such sections] *section 203(c) and the 135-day period referred to in section 407(c)(2).* shall be computed by excluding—

(1) the days on which either House is not in session because of an adjournemnt of more than 3 days to a day certain or an adjournment of the Congress sine die, and

(2) any Saturday and Sunday, not excluded under paragraph (1), when either House is not in session.

Subchapter IV—Trade Relations With Countries Not Currently Receiving Nondiscriminatory Treatment

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§ 2432. Freedom of emigration in East-West trade

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[RECOMMENDATION TO CONGRESS TO EXTEND PERIOD OF WAIVER AUTHORITY

(d)[(1) If the President determines that the extension of the waiver authority granted by subsection (c)(1) of this section will substantially promote the objectives of this section, he may recommend to the Congress that such authority be extended for a period of 12 months. Any such recommendtion shall—

[(A) be made not later than 30 days before the expiration of such authority;

[(B) be made in a document transmitted to the House of Representatives and the Senate setting forth his reasons for recommending the extension of such authority; and

[(C) include, for each country with respect to which a waiver granted under subsection (c)(1) of this section is in effect, a determination that continuation of the waiver applicable to that country will substantially promote the objectives of this section, and a statement setting forth his reasons for such determination.

[(2) If the President recommends under paragraph (1) the extension of the waiver authority granted by subsection (c)(1) of this sec-

tion, such authority shall continue in effect with respect to any country for a period of 12 months following the end of the 18-month period referred to in subsection (c)(1) of this section, if, before the end of such 18-month period, the House of Representtives and the Senate adopt, by an affirmative vote of a majority of the Members present and voting in each House and under the procedures set forth in section 2193 of this title, a concurrent resolution approving the extension of such authority, and such resolution does not name such country as being excluded from such authority. Such authority shall cease to be effective with respect to any country named in such concurrent resolution on the date of the adoption of such concrrent resolution. If before the end of such 18-month period, a concurrent resolution approving the extension of such authority is not adopted by the House and the Senate, but both the House and Senate vote on the question of final passage of such a concurrent resolution and—

[(A) both the House and the Senate fail to pass such a concurrent resolution, the authority granted by subsection (c)(1) of this section shall cease to be effective with respect to all countries at the end of such 18-month period;

[(B) both the House and the Senate pass such a concurrent resolution which names such country as being excluded from such authority, such authority shall cease to be effective with respect to such country at the end of such 18-month period; or

[(C) one House fails to pass such a concurrent resolution and the other House passes such a concurrent resolution which names such country as being excluded from such authority, such authority shall cease to be effective with respect to such country at the end of such 18-month period.

[(3) If the President recommends under paragraph (1) the extension of the waiver authority granted by subsection (c)(1) of this section, and at the end of the 18-month period referred to in subsection (c)(1) of this section the House of Representatives and the Senate have not adopted a concurrent resolution approving the extension of such authority and subparagraph (A) of paragraph (2) does not apply, such authority shall continue in effect for a period of 60 days following the end of such 18-month period with respect to any country (except for any country with respect to which such authority was not extended by reason of the application of subparagraph (B) or (C) of paragraph (2)), and shall continue in effect for a period of 12 months following the end of such 18-month period with respect to any such country if, before the end of such 60-day period, the House of Representatives and the Senate adopt, by an affirmative vote of a majority of the Members present and voting in each House and under the procedures set forth in section 2193 of this title, a concurrent resolution approving the extension of such authority, and such resolution does not name such country as being excluded from such authority. Such authority shall cease to be effective with respect to any country named in such concurrent resolution on the date of the adoption of such concurrent resolution. If before the end of such 60-day period, a concurrent resolution approving the extension of such authority is not adopted by the House and Senate, but both the House and Senate vote on the question of final passage of such a concurrent resolution and—

[(A) both the House and the Senate fail to pass such a concurrent resolution, the authority granted by subsection (c)(1) of this section shall cease to be effective with respect to all countries on the date of the vote on the question of final passage by the House which votes last;

[(B) both the House and the Senate pass such a concurrent resolution which names such country as being excluded from such authority, such authority shall cease to be effective with respect to such country at the end of such 60-day period; or

[(C) one House fails to pass such a concurrent resolution and the other House passes such a concurrent resolution which names such country as being excluded from such authority, such authority shall cease to be effective with respect to such country at the end of such 60-day period.

[(4) If the President reccommends under paragraph (1) the extension of the waiver authority granted by subsection (c)(1) of this section, and at the end of the 60-day period referred to in paragraph (3) the House of Representatives and the Senate have not adopted a concurrent resolution approving the extension of such authority and subparagraph (A) of paragraph (3) does not apply, such authority shall continue in effect until the end of the 12-month period following the end of the 18-month period referred to in subsection (c)(1) of this section with respect to any country (except for any country with respect to which such authority was not extended by reason of the application of subparagraph (B) or (C) of paragraph (2) or subparagraph (B) or (C) of paragraph (3)), unless before the end of the 45-day period following such 60-day period either the House of Representatives or the Senate adopts, by an affirmative vote of a majority of the members present and voting in that House and under the procedures set forth in section 2193 of this title, a resolution disapproving the extension of such authority generally or with respect to such country specifically. Such authority shall cease to be effective with respect to all countries on the date of the adoption by either House before the end of such 45-day period of a resolution disapproving the extension of such authority, and shall cease to be effective with respect to any country on the date of the adoption by either House before the end of such 45-day period of a resolution disapproving the extension of such authority with respect to such country.]

[(5)] If [the waiver authority granted by subsection (c) of this section has been extended under paragraph (3) or (4) for any country for the 12-month period referred to in such paragraphs, and] the President determines that the further extension of [such authority will] *the waiver authority granted under subsection (c) will* substantially promote the objectives of this section, he may recommend further extensions of such authority for successive 12-month periods. Any such recommendations shall—

[(A)] *(1)* be made not later than 30 days before the expiration of such authority;

[(B)] *(2)* be made in a document transmitted to the House of Representatives and the Senate setting forth his reasons for recommending the extension of such authority; and

[(C)] *(3)* include, for each country with respect to which a waiver granted under subsection (c) of this section is in effect,

a determination that continuation of the waiver applicable to that country will substantially promote the objectives of this section, and a statement setting forth his reasons for such determination.

If the President recommends the further extension of such authority, such authority shall continue in effect until the end of the 12-month period following the end of the previous 12-month extension with respect to any country (except for any country with respect to which such authority has not been extended under this subsection), unless before the end of the [60-day] *105-day* period following such previous 12-month extension[, either the House of Representatives or the Senate adopts, by an affirmative vote of a majority of the Members present and voting in that House and under the procedures set forth in section 2193 of this title, a resolution] *a joint resolution described in section 153(a) is enacted into law* disapproving the extension of such authority generally or with respect to such country specifically. Such authority shall cease to be effective with respect to all countries on the date of the [adoption by either House] *enactment* before the end of such [60-day] *105-day* period of [a resolution] *a joint resolution* disapproving the extension of such authority, and shall cease to be effective with respect to any country on the date of the [adoption by either House] *enactment* before the end of such [60-day] *105-day* period of [a resolution] *a joint resolution* disapproving the extension of such authority with respect to such country.

* * * * * * *

§ 2435. Commercial agreements

PRESIDENTIAL AUTHORITY

(a) Subject to the provisions of subsections (b) and (c) of this section, the President may authorize the entry into force of bilateral commercial agreements providing nondiscriminatory treatment to the products of countries heretofore denied such treatment whenever he determines that such agreements with such countries will promote the purposes of this chapter and are in the national interest.

* * * * * * *

CONGRESSIONAL ACTION

[(c) An agreement referred to in subsection (a) of this section, and a proclamation referred to in section 2434(a) of this title implementing such agreement, shall take effect only if (1) approved by the Congress by the adoption of a concurrent resolution referred to in section 2191 of this title, or (2) in the case of an agreement entered into before January 3, 1975, and a proclamation implementing such agreement, a resolution of disapproval referred to in section 2192 of this title is not adopted during the 90-day period specified by section 2437(c)(2) of this title.]

(c) An agreement referred to in subsection (a), and a proclamation referred to in section 404(a) implementing such agreement, shall take effect only if a joint resolution described in section 151(b)(3)

that approves of the agreement referred to in subsection (a) is enacted into law.

§ 2437. Procedure for Congressional approval or disapproval of extension of nondiscriminatory treatment and Presidential reports

* * * * * * *

EFFECTIVE DATE OF PROCLAMATIONS AND AGREEMENTS; DISAPPROVAL OF REPORTS

(c)[(1) In the case of a document referred to in subsection (a) of this section (other than a document to which paragraph (2) applies), the proclamation set forth therein may become effective and the agreement set forth therein may enter into force and effect only if the House of Representatives and the Senate adopt, by an affirmative vote of a majority of those present and voting in each House, a concurrent resolution of approval (under the procedures set forth in section 2191 of this title) of the extension of nondiscriminatory treatment to the products of the country concerned.] *(1) In the case of a document referred to in subsection (a), the proclamation set forth in the document may become effective and the agreement set forth in the document may enter into force and effect only if a joint resolution described in section 151(b)(3) that approves of the extension of nondiscriminatory treatment to the products of the country concerned is enacted into law.*

[(2) In the case of a document referred to in subsection (a) of this section which sets forth an agreement entered into before January 3, 1975, and a proclamation implementing such agreement, such proclamation may become effective and such agreement may enter into force and effect after the close of the 90-day period beginning on the day on which such document is delivered to the House of Representatives and to the Senate, unless during such 90-day period either the House of Representatives or the Senate adopts, by an affirmative vote of a majority of those present and voting in that House, a resolution of disapproval (under the procedures set forth in section 2192 of this title) of the extension of nondiscriminatory treatment to the products of the country concerned.]

[(3)] *(2)* In the case of a document referred to in subsection (b) of this section which contains a report submitted by the President under section 2432(b) or 2439(b) of this title with respect to a nonmarket economy country, if, before the close of [the 90-day period] *the 135-day period* beginning on the day on which such document is delivered to the House of Representatives and to the Senate, [either the House of Representatives or the Senate adopts, by an affirmative vote of a majority of those present and voting in that House, a resolution of disapproval (under the procedures set forth in section 2192 of this title)] *a joint resolution described in section 152(a)(1)(B) is enacted into law that disapproves* of the report submitted by the President with respect to such country, then, beginning with the day after the date of [the adoption] *the enactment* of such resolution of disapproval, (A) nondiscriminatory treatment shall not be in force with respect to the products of such country, and the products of such country shall be dutiable at the

rates set forth in rate column numbered 2 of the Harmonized Tariff Schedule of the United States, (B) such country may not participate in any program of the Government of the United States which extends credit or credit guarantees or investment guarantees, and (C) no commercial agreement may thereafter be concluded with such country under this subchapter.

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Subchapter V—Generalized System of Preferences

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§ 2463. Eligible articles

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(b) Eligible articles qualifying for duty-free treatment.—

[The duty-free treatment provided under section 2461 of this title with respect to any eligible article shall apply only—

[(1) to an article which is imported directly from a beneficiary developing country into the customs territory of the United States; and

[(2) if the sum of (A) the cost or value of the materials produced in the beneficiary developing country or any 2 or more countries which are members of the same association of countries which is treated as one country under section 2462(a)(3) of this title, plus (B) the direct costs of processing operations performed in such beneficiary developing country or such member countries is not less than 35 percent of the appraised value of such article at the time of its entry into the customs territory of the United States.]

[The Secretary of the Treasury, after consulting with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this subsection.]

(b)(1) The duty free treatment provided under section 501 shall apply to any eligible article which is the growth, product, or manufacture of a beneficiary developing country if—

(A) that article is imported directly from a beneficiary developing country into the customs territory of the United States; and

(B) the sum of—

(i) the cost or value of the materials produced in the beneficiary developing country or any 2 or more countries which are members of the same association of countries which is treated as one country under section 502(a)(3), plus

(ii) the direct costs of processing operations performed in such beneficiary developing country or such member countries,

is not less than 35 percent of the appraised value of such article at the time of its entry into the customs territory of the United States.

(2) The Secretary of the Treasury, after consulting with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this subsection, including, but not limited to, regulations providing that, in order to be eligible for duty-free

treatment under this title, an article must be wholly the growth, product, or manufacture of a beneficiary developing country, or must be a new or different article of commerce which has been grown, produced, or manufactured in the beneficiary developing country; but no article or material of a beneficiary developing country shall be eligible for such treatment by virtue of having merely undergone—

(A) simple combining or packaging operations, or

(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

CHAPTER 15—CARIBBEAN BASIN ECONOMIC RECOVERY

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§ 2702. Beneficiary country

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(b) COUNTRIES ELIGIBLE FOR DESIGNATION AS BENEFICIARY COUNTRIES; CONDITIONS.—

* * * * * * *

(5) if a government-owned entity in such country engages in the broadcast of copyrighted material, including films or television material, belonging to United States copyright owners without their express consent; [and]

(6) unless such country is a signatory to a treaty, convention, protocol, or other agreement regarding the extradition of United States citizens[.]*; and*

(7) if such country has not or is not taking steps to afford internationally recognized worker rights (as defined in subsection (c)(8).

* * * * * * *

(c) FACTORS DETERMINING DESIGNATION.—In determining whether to designate any country a beneficiary country under this chapter, the President shall take into account—

[(8) the degree to which workers in such country are afforded reasonable workplace conditions and enjoy the right to organize and bargain collectively;]

(8) whether or not such country has taken or is taking steps to afford to workers in that country (including any designated zone in that country) internationally recognized worker rights.

* * * * * * *

(f) On or before October 1, 1993, and the close of each 3-year period thereafter, the President shall submit to the Congress a complete report regarding the operation of this title.

* * * * * * *

§ 2706. Effective date; termination of duty-free treatment

(a) This chapter shall take effect on August 5, 1983.

[(b) No duty-free treatment extended to beneficiary countries under this chapter shall remain in effect after September 30, 1995.]

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CHAPTER 18—IMPLEMENTATION OF THE HARMONIZED TARIFF SCHEDULE [NEW]

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§ 3007. Publication of the Harmonized Tariff Schedule

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HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (1990)

ANNOTATED FOR STATISTICAL REPORTING PURPOSES

CHAPTER 17—SUGARS AND SUGAR CONFECTIONERY

Note

1. This chapter does not cover:
   (a) Sugar confectionery containing cocoa (heading 1806);
   (b) Chemically pure sugars (other than sucrose, lactose, maltose, glucose and fructose) or other products of heading 2940; or
   (c) Medicaments or other products of chapter 30.

Subheading Note

1. For the purposes of subheadings 1701.11 and 1701.12 "*raw sugar*" means sugar whose content of sucrose by weight, in the dry state, corresponds to a polarimeter reading of less than 99.5 degrees.

Additional U.S. Notes

1. The term "*degree*" as used in the "Rates of Duty" columns of this chapter means International Sugar Degree as determined by polarimetric test performed in accordance with procedures recognized by the International Commission for Uniform Methods of Sugar Analysis (ICUMSA).

* * * * * * *

3. (a)(i) The total amount of sugars, syrups and molasses described in subheadings 1701.11, 1701.12, 1701.91.20, 1701.99, 1702.90.30, [1702.90.40,] 1806.10.40 and 2106.90.10, the products of all foreign countries, entered, or withdrawn from warehouse for consumption, during the period January 1, 1989 through December 31, 1989, shall not exceed in the aggregate 1,061,279 metric tons, raw value. Of this amount, the total amount permitted to be imported for purposes of paragraph (c)(i) of this note (the total base quota amount) shall be 1,053,000 metric tons, raw value; 1,815 metric tons, raw value, may only be used for the importation of "specialty sugars" as defined by the United States Trade Representative in accordance with paragraph (c)(ii) of this note; and the remaining 6,464 metric tons, raw value, may only be imported for

the purposes specified in paragraph (c)(v) of this note (the quota adjustment amount).

* * * * * * *

(h) For the purposes of this note, the term *"raw value"* means the equivalent of such articles in terms of ordinary commercial raw sugar testing 96 degrees by the polariscope as determined in accordance with regulations issued by the Secretary of the Treasury. Such regulations may, among other things, provide: (1) for the entry of such articles pending a final determination of polarity; and (2) that positive or negative adjustments for the differences in preliminary and final raw values be made in the same or succeeding quota periods. The principal grades and types of sugar shall be translated into terms of raw value in the following manner—

(i) For articles described in subheadings 1701.11, 1701.12, 1701.91.20, 1701.99, [1702.90.40,] 1806.10.40 and 2106.90.10, by multiplying the number of kilograms thereof by the greater of 0.93, or 1.07 less 0.0175 for each degree of polarization under 100 degrees (and fractions of a degree in proportion).

(ii) For articles described in subheading 1702.90.30, by multiplying the number of kilograms of the total sugars thereof (the sum of the sucrose and reducing or invert sugars) by 1.07.

(iii) The Secretary of the Treasury shall establish methods for translating sugar into terms of raw value for any special grade or type of sugar for which he determines that the raw value cannot be measured adequately under the above provisions.

(ij) The Secretary may exempt the entry of articles described in subheadings 1701.11, 1701.12, 1701.91.20, 1701.99, 1702.90.30, [1702.90.40,] 1806.10.40 and 2106.90.10 from the requirements or limitations established pursuant to this note on the condition that such articles: (a) be used only for the production (other than by distillation) of polyhydric alcohols, except polyhydric alcohols for use as a substitute for sugar in human food consumption; or (2) be reexported in refined form or in sugar-containing products. Such articles shall be entered under licenses issued pursuant to regualtions promulgated by the Secretary. In promulgating such regulations, the Secretary shall give due consideration to the interests in the U.S. sugar market of domestic producers and materially affected contracting parties to the General Agreement on Tariffs and Trade. Such regulations may contain any terms, conditions, bonds or other limitations as the Secretary determines are appropriate to ensure that articles imported under license are used only for the purposes specified in this paragraph. This paragraph shall terminate whenever paragraphs (b), (c), (d) and (e) of this note are terminated under paragraph (f) of this note.

* * * * * * *

CHAPTER 24—TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES

Note

1. This chapter does not cover medicinal cigarettes (chapter 30).

Additional U.S. Notes

1. The term "*wrapper tobacco*", as used in this chapter, means that quality of leaf tobacco which has the requisite color, texture and burn, and is of sufficient size for cigar wrappers, and the term "*filler tobacco*" means all other leaf tobacco.

* * * * * * *

5. For purposes of heading 2401, any tobacco grown in the United States, and any article of tobacco grown in the United States, that falls within any subheading of heading 2401 for which the rate of duty of "Free" followed by the symbol "E" appears in the special subcolumn of rate of duty column 1 and that—

(a) has been processed, advanced in value, or improved in condition in a designated beneficiary country enumerated in general note 3(c)(v), and

(b) is not processed, advanced in value, or improved in condition in any country other than such a designated beneficiary country or the United States,

shall, when imported directly from such a designated beneficiary country, be accorded duty-free entry as an eligible article for the purpose of the Caribbean Basin Economic Recovery Act.

* * * * * * *

CHAPTER 61—ARTICLES OF APPAREL AND CLOTHING ACCESSORIES, KNITTED OR CROCHETED

Notes

1. This chapter applies only to made up knitted or crocheted articles.

2. This chapter does not cover:

(a) Goods of heading 6212;

(b) Worn clothing or other worn articles of heading 6309;

(c) Orthopedic appliances, surgical belts, trusses or the like (heading 9021).

3. For the purposes of headings 6103 and 6104:

(a) The term "*suit*" means a set of garments composed of two or three pieces made up in identical fabric and comprising:

—one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs, and

—one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition.

All of the components of a suit must be of the same fabric construction, style, color and composition; they must also be of corresponding or compatible size. If several separate components to cover the lower part of the body are entered together (e.g., trousers and shorts, or a skirt or divided skirt and trousers), the constituent lower part shall be the trousers, or, in the case of women's or girls' suits, the

skirt or divided skirt, the other garments being considered separately.

The term *"suit"* includes the following sets of garments whether or not they fulfill all the above conditions:

—morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;

—evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts cut in at the hips and hanging down behind;

—dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels.

(b) The term *"ensemble"* means a set of garments (other than suits and articles of heading 6107, 6108 or 6109), composed of several pieces made up in identical fabric, put up for retail sale, and comprising:

—one garment designed to cover the upper part of the body, with the exception of pullovers which may form a second upper garment in the sole context of twin sets, and of waistcoats which may also form a second upper garment, and

—one or two different garments, designed to cover the lower part of the body and consisting of trousers, bib and brace overalls, breeches, shorts (other than swimwear), a skirt or a divided skirt.

All of the components of an ensemble must be of the same fabric construction, style, color and composition; they also must be of corresponding or compatible size. The term "ensemble" does not apply to track suits or ski-suits of heading 6112.

4. Headings 6105 and 6106 do not cover garments with pockets below the waist, with a ribbed waistband or other means of tightening at the bottom of the garment, or garments having an average of less than 10 stitches per liner centimeter in each direction counted on an area measuring at least 10 centimeters by 10 centimeters. Heading 6105 does not cover sleeveless garments.

5. For the purposes of heading 6111:

(a) The expression *"babies' garments and clothing accessories"* means articles for young children of a body height not exceeding 86 centimeters; it also covers babies' diapers;

(b) Articles which are, *prima facie,* classifiable both in heading 6111 and in other headings of this chapter are to be classified in heading 6111.

* * * * * * *

Heading/ subheading	Article description	Units of quantity	Rates of duty 1 General	Rates of duty 1 Special	Rates of duty 2
	* * * * *		*	*	
6116	Gloves, mittens and mitts, knitted or crocheted:				
6116.10	Gloves, mittens and mitts impregnated, coated or covered with plastics or rubber:				
6116.10.05	*Ice hockey gloves and field hockey gloves.*		*Free*		25%
6116.10.10	[Ski or snowmobile gloves, mittens and mitts] *Other gloves, mittens, and mitts, principally designed for sports use, including ski and snowmobile gloves, mittens, and mitts.*	doz.pr.v kg	5.5%	Free (A,E,IL) 4.4% (CA)	25%
	* * * * *		*	*	
6116.92	Of cotton:				
6116.92.05	*Ice hockey gloves and field hockey gloves.*		*Free*		45%
6116.92.10	[Ski or snowmobile gloves, mittens and mitts] *Other gloves, mittens, and mitts, principally designed for sports use, including ski and snowmobile gloves, mittens, and mitts.*	doz.pr.v. kg	5.5%	Free (A,E,IL) 4.4% (CA)	45%
	* * * * *		*	*	
6116.93	Of synthetic fibers:				
6116.93.05	*Ice hockey gloves and field hockey gloves.*		*Free*		45%
6116.93.10	[Ski or snowmobile gloves, mittens and mitts] *Other gloves, mittens, and mitts, principally designed for sports use, including ski and snowmobile gloves, mittens, and mitts.*	doz.pr.v. kg	5.5%	Free (A,E,IL) 4.4% (CA)	45%
	* * * * *		*	*	
6116.99	Of other textile materials:				
	Of artificial fibers:				
6116.99.20	*Ice hockey gloves and field hockey gloves.*		*Free*		45%
6116.99.30	[Ski or snowmobile gloves, mittens and mitts] *Other gloves, mittens, and mitts, principally designed for sports use, including ski and snowmobile gloves, mittens, and mitts.*	doz.pr.v. kg	5.5%	Free (A,E,IL) 4.4% (CA)	45%

CHAPTER 62—ARTICLES OF APPAREL AND CLOTHING ACCESSORIES, NOT KNITTED OR CROCHETED

Notes

1. This chapter applies only to made up articles of any textile fabric other than wadding, excluding knitted or crocheted articles (other than those of heading 6212).

2. This chapter does not cover:

(a) Worn clothing or other worn articles of heading 6309;

(b) Orthopedic appliances, surgical belts, trusses or the like (heading 9021).

3. For the purposes of headings 6203 and 6204:

(a) The term *"suit"* means a set of garments composed of two or three pieces made up in identical fabric and comprising:

—one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs, and

—one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition.

All of the components of a suit must be of the same fabric construction style, color and composition; they must also be of corresponding or compatible size. If several separate components to cover the lower part of the body area entered together (e.g., trousers and shorts, or a skirt or divided skirt and trousers), the constitutent lower part shall be the trousers, or, in the case of women's girls' suits, the skirt or divided skirt, the other garments being considered separately.

The term *"suit"* includes the following sets of garments whether or not they fulfill all the above conditions:

—morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;

—evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts cut in at the hips and hanging down behind;

—dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels.

(b) The *"ensemble"* means a set of garments (other than suits and articles of heading 6207 or 6208) composed of several pieces made up in identical fabric, put up for retail sale, and comprising:

—one garment designed to cover the upper part of the body, with the exception of waistcoats which may also form a second upper garment, and

—one or two different garments, designed to cover the lower part of the body and consisting of trousers, bib and brace overalls, breeches, shorts (other than swimwear), a skirt or a divided skirt.

All of the components of an ensemble must be of the same fabric construction, style, color and composition; they also must be of corresponding or compatible size. The term *"ensemble"* does not apply to track suits or ski-suits of heading 6211.

4. For the purposes of heading 6209:

(a) The expression *"babies' garments and clothing accessories"* means articles for young children of a body height not exceeding 86 centimeters; it also covers babies' diapers;

(b) Articles which are, *prima facie,* classifiable both in heading 6209 and in other headings of this chapter are to be classified in heading 6209.

5. Garments which are, *prima facie,* classifiable both in heading 6210 and in other headings of this chapter, excluding heading 6209, are to be classified in heading 6210.

6. For the purposes of heading 6211, *"ski-suits"* means garments or sets of garments which, by their general appearance and texture, are identifiable as intended to be worn principally for skiing (cross-country or alpine). They consist either of:

(a) A *"ski overall,"* that is, a one-piece garment designed to cover the upper and the lower parts of the body; in addition to sleeves and a collar the ski overall may have pockets or footstraps; or

(b) *"ski ensemble,"* that is, a set of garments composed of two or three pieces, put up for retail sale and comprising:

—one garment such as an anorak, windbreaker or similar article, closed by a slide fastener (zipper), possible with a waistcoat in addition, and

—one pair of trousers whether or not extending above waist level, one pair of breeches or one bib and brace overall.

The *"ski ensemble"* may also consist of an overall similar to the one mentioned in paragraph (a) above and a type of padded, sleeveless jacket worn over the overall.

All the components of a *"ski ensemble"* must be made upon in a fabric of the same texture, style and composition whether or not of the same color; they also must be of corresponding or compatible size.

7. Scarves and articles of the scarf type, square or approximately square, of which no side exceeds 60 centimeters, are to be classified as hankerchiefs (heading 6213). Handkerchiefs of which any side exceeds 50 centimeters are to be classified in heading 6214.

8. Articles of this chapter which cannot be identified as either men's or boys' garments or as women's or girls' garments are to be classified in the headings covering women's or girls' garments.

9. Articles of this chapter may be made of metal thread.

Additional U.S. Notes

1. For the purpose of heading 6209, the term *"sets"* means two or more different garments of headings 6111, 6209 or 6505 imported together, of corresponding sizes and intended to be worn together by the same person.

2. For the purposes of subheadings 6201.92.15, 6201.93.30, 6202.92.15, 6202.93.45, 6203.43.15, 6203.43.35, 6204.63.12, 6204.63.30 and 6211.20.15, the term *"water resistent"* means that garments classifiable in those subheadings must have a water resistance (see ASTM designations D 3600–81 and D 3781–79) such that, under a head pressure of 600 milllimeters, not more than 1.0 gram of water penetrates after two minutes when tested in accordance with ATTCC Test Method 35–1985. This water resistance must be the

result of a rubber or plastics application to the outer shell, lining or inner lining.

Statistical Notes

1. For the purposes of subheadings 6203.21.00, 6203.22.30, 6203.23.00 6203.29.20, 6204.21.00, 6204.22.30, 6204.23.00, and 6204.29.20, merchandise entered together and classified for customs purposes as an emsemble, shall be reported statistically as separate articles and reported under the most appropriate 10-digit reporting number within the same 8-digit tariff subheading which provides for the ensemble.

2. Imports of *made to measure"* suits from Hong Kong, which do not accompany a returning traveler, are subject to a special agreement. Suits made to the specific measurements of a particular person require a *"made to measure"* export license from the government of Hong Kong. These *"made to measure"* suits of Hong Kong origin must be identified by the importer by the placing of the symbol "G" as a prefix to the appropriate tariff number.

3. Certain garments of chapter 62 assembled abroad from components formed and cut in the United States which, after assembly have been subject to bleaching, stone-washing, acid-washing or perma-pressing abroad, may be eligible for entry under a Special Access Program of Special Regime. Eligibility must be established under a bilateral agreement, and entry must be in compliance with procedures established by the Committee for the implementation of Textile Agreements. The importer is required to identify sush garments on the entry summary or withdrawal forms by placing the symbol "H" as a prefix to the appropriate 10-digit chapter 62 tariff number.

* * * * * * *

Heading/ subheading	Article description	Units of quantity	Rates of duty		
			1		2
			General	Special	
* * * * * * *					
6216.00	Gloves, mittens and mitts:				
	Impregnated, coated or covered with plastics or rubber:				
6216.00.05	*Ice hockey gloves and field hockey gloves.*		*Free*	*25%*	
6216.00.10	[Ski or snowmobile gloves, mittens and mitts] *Other gloves, mittens, and mitts, principally designed for sports use, including ski and snowmobile gloves, mittens, and mitts.*	doz.pr.v kg	5.5%	Free (A,E,IL) 4.4% (CA)	25%
* * * * * * *					
	Other:				
	Of cotton:				
6216.00.33	*Ice hockey gloves and field hockey gloves.*		*Free*	*45%*	

Heading/ subheading	Article description	Units of quantity	Rates of duty 1 General	Rates of duty 1 Special	Rates of duty 2
6216.00.34	[Ski or snowmobile gloves, mittens and mitts] *Other gloves, mittens, and mitts, principally designed for sports use, including ski and snowmobile gloves, mittens, and mitts.*	doz.pr.v kg	5.5%	Free (A.E.IL) 4.4% (CA)	45%
	* * * * * * *				
	Of man-made fibers:				
6216.00.43	*Ice hockey gloves and field hockey gloves.*		*Free*		45%
6216.00.44	[Ski or snowmobile gloves, mittens, and mitts] *Other gloves, mittens, and mitts, principally designed for sports use, including ski and snowmobile gloves, mittens, and mitts.*	doz.pr.v kg	5.5%	Free (A.E.IL) 4.4% (CA)	45%

CHAPTER 67—PREPARED FEATHERS AND DOWN AND ARTICLES MADE OF FEATHERS OR OF DOWN; ARTIFICIAL FLOWERS; ARTICLES OF HUMAN HAIR

Notes

1. This chapter does not cover:
   (a) Straining cloth of human hair (heading 5911);
   (b) Floral motifs of lace, of embroidery or other textile fabric (section XI);
   (c) Footwear (chapter 64);
   (d) Headgear or hairnets (chapter 65);
   (e) Toys, sports equipment, or carnival articles (chapter 95); or
   (f) Feather dusters, powder-puffs or hair sieves (chapter 96).
2. Heading 6701 does not cover:
   (a) Articles in which feathers or down constitute only filling or padding (for example, bedding of heading 9404);
   (b) Articles of apparel or clothing accessories in which feathers or down constitute no more than mere trimming, filling or padding; or
   (c) Artificial flowers or foliage or parts thereof or made up articles of heading 6702.
3. Heading 6702 does not cover:
   (a) Articles of glass (chapter 70); or
   (b) Artificial flowers, foliage or fruit of pottery, stone, metal, wood or other materials, obtained in one piece by molding, forging, carving, stamping, or other process, or consisting of parts assembled otherwise than by binding, gluing, fitting into one another or similar methods.

* * * * * * *

[Annotated for Statistical Reporting Purposes]

Heading/ subheading	Article description	Units of quantity	Rates of duty 1 General	Rates of duty 1 Special	Rates of duty 2
6702.90	Of other materials:				
6702.90.10	Of feathers	X	4.7%	Free (A,E*,IL) 3.7% (CA)	60%
6702.90.40	Other:				
	Artificial flowers *and foliage* of man-made fibers.	X	9%	Free (A) 2.7% (IL) 7.2% (CA)	71.5%
6702.90.60	Other	X	17%	Free (A*,E,IL) 13.6% (CA)	90%

* * * * * * *

Notes

1. In this chapter and, in the case of notes (d), (e) and (f) below throughout the tariff schedule, the following expressions have the meanings hereby assigned to them:

(a) *Pig iron*

Iron-carbon alloys not usefully malleable, containing more than 2 percent by weight of carbon and which may contain by weight one or more other elements within the following limits:

—not more than 10 percent of chromium
—not more than 6 percent of manganese
—not more than 3 percent of phosphorus
—not more than 8 percent of silicon
—a total of not more than 10 percent of other elements.

(b) *Spiegeleisen*

Iron-carbon alloys containing by weight more than 6 percent but not more than 30 percent of manganese and otherwise conforming to the specification at (a) above.

(c) *Ferroalloys*

Alloys in pigs, blocks, lumps or similar primary forms, in forms obtained by continuous casting and also in granular or powder forms, whether or not agglomerated, commonly used as an additive in the manufacture of other alloys or as deoxidants, desulfurizing agents or for similar uses in ferrous metallurgy and generally not usefully malleable, containing by weight 4 percent or more of the element iron and one or more of the following:

—more than 10 percent of chromium
—more than 30 percent of manganese
—more than 3 percent of phosphorus
—more than 8 percent of silicon
—a total of more than 10 percent of other elements, excluding carbon, subject to a maximum content of 10 percent in the case of copper.

(d) *Steel*

Ferrous materials other than those of heading 7203 which (with the exception of certain types produced in the form of castings) are usefully malleable and which contain by weight 2 percent or less of carbon. However, chromium steels may contain higher proportions of carbon.

(e) *Stainless steel*

Alloy steels containing, by weight 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements.

Heading/ subheading	Article description	Units of quantity	Rates of duty 1 General	Rates of duty 1 Special	Rates of duty 2
	* * * * * * *				
	Other:				
7226.91	Not further worked than hot-rolled:				
	Of tool steel (other than high-speed steel):				
[7226.91.10	Of a width of 300 mm or more.		9.6%	Free (E, IL) 7.6% (CA)	29%]
	[Of ball-bearing steel.	kg]			
	[Other.....	kg]			
[7226.91.30	Of a width of less than 300 mm.		11.6%	Free (E, IL) 9.2% (CA)	34%]
	[Of ball-bearing steel.	kg]			
	[Other.....	kg]			
7226.91.05	*Of chipper knife steel.*		*Free*		*44%*
	Other:				
7226.91.10	*Of a width of 300 mm or more.*		*9.6%*	*Free (E, IL) 7.6% (CA)*	*29%*
7226.91.30	*Of a width of less than 300 mm.*		*11.6%*	*Free (E, IL) 9.2% (CA)*	*34%*
	Other:				
7226.91.50	Of a thickness of 4.75 mm or more.	kg	3.8%	Free (E, IL) 3% (CA)	28%

CHAPTER 87—VEHICLES OTHER THAN RAILWAY OR TRAMWAY ROLLING-STOCK, AND PARTS AND ACCESSORIES THEREOF

Notes

1. This chapter does not cover railway or tramway rolling-stock designed solely for running on rails.

2. For the purpose of this chapter, "*tractors*" means vehicles constructed essentially for hauling or pushing another vehicle, appliance or load, whether or not they contain subsidiary provision for the transport, in connection with the main use of the tractor, of tools, seeds, fertilizers or other goods.

3. For the purpose of heading 8702, the expression "*public-transport type passenger motor vehicles*" means vehicles designed for the transport of ten persons or more (including the driver).

4. Motor chassis fitted with cabs fall in headings 8702 to 8704, and not in heading 8706.

5. Heading 8712 includes all children's bicycles. Other children's cycles fall in heading 9501.

Additional U.S. Notes

1. Road tractors, trailers and semi-trailers remain separately classified in headings 8701 and 8716, respectively, even when entered together.

2. For the purpose of classifying bicycle under the provisions therefore in heading 8712, the diameter of each wheel is the diameter measured to the outer circumference of the tire which is mounted thereon or, if none is mounted thereon, of the usual tire for such wheel.

* * * * * * *

Heading/ subheading	Article description	Units of quantity	Rates of duty		
			1		2
			General	Special	
8712.00	Bicycles and other cycles (including delivery tricycles), not motorized:				
8712.00.10	Bicycles having both wheels not exceeding [65 cm] *63.5* cm in diameter.		11%	Free (E, IL) 8.8% (CA)	30%
	Having both wheels not exceeding 50 cm in diameter.	No.			
	Having both wheels exceeding 50 cm but not exceeding 55 cm in diameter.	No.			
	Having both wheels exceeding 55 cm but not exceeding [65 cm] *63.5* cm in diameter.	No.			
	Bicycles having both wheels exceeding [65] *63.5* cm in diameter:				
8712.00.20	If weighing less than 16.3 kg complete without accessories and not designed for use with tires having a cross-sectional diameter exceeding [4 cm] *4.1* cm.	No.	5.5%	Free (E, IL) 4.4% (CA)	30%
8712.00.30	Other	No.	11%	Free (E, IL) 8.8% (CA)	30%
8712.00.40	Other bicycles	No.	15%	Free (E, IL) 12% (CA)	30%
8712.00.50	Other cycles	No.	3.7%	Free (A, E, IL) 2.9% (CA)	35%

CHAPTER 96—MISCELLANEOUS MANUFACTURED ARTICLES

Notes

1. This chapter does not cover:

(a) Pencils for cosmetic or toilet uses (chapter 33);

(b) Articles of chapter 66 (for example, parts of umbrellas or walking-sticks);

(c) Imitation jewelry (heading 7117);

(d) Parts of general use, as defined in note 2 to section XV, of base metal (section XV) or similar goods of plastics (chapter 39);

(e) Cutlery or other articles of chapter 82 with handles or other parts of carving or molding materials; heading 9601 or 9602 applies, however, to separately entered handles or other parts of such articles;

(f) Articles of chapter 90 (for example, spectacle frames (heading 9003), mathematical drawing pens (heading 9017), brushes of a kind specialized for use in dentistry or for medical, surgical or veterinary purposes (heading 9018));

(g) Articles of chapter 91 (for example, clock or watch cases);

(h) Musical instruments or parts or accessories thereof (chapter 92);

(ij) Articles of chapter 93 (arms and parts thereof);

(k) Articles of chapter 94 (for example, furniture, lamps and lighting fittings);

(l) Articles of chapter 95 (toys, games, sports equipment); or

(m) Works of art, collectors' pieces or antiques (chapter 97).

2. In heading 9602 the expression *"vegetable or mineral carving material"* means:

(a) Hard seeds, pips, hulls and nuts and similar vegetable materials of a kind used for carving (for example, corozo and dom);

(b) Amber, meerschaum, agglomerated amber and agglomerated meershaum, jet and mineral substitutes for jet.

3. In heading 9603 the expression *"prepared knots and tufts for broom or brush making"* applies only to unmounted knots and tufts of animal hair, vegetable fiber or other material, which are ready for incorporation without division in brooms or brushes, or which require only such further minor processes as trimming to shape at the top, to render them ready for such incorporation.

4. Articles of this chapter, other than those of headings 9601 to 9606 or 9615, remain classified in the chapter whether or not composed wholly or partly of precious metal or metal clad with precious metal, of natural or cultured pearls, or preious or semiprecious stones (natural, synthetic or reconstructed). However, headings 9601 to 9606 and 9615 include articles in which natural or cultured pearls, precious or semiprecious stones (natural, synthetic or reconstructed), precious metal or metal clad with precious metal constitute only minor constituents.

Additional U.S. Notes

1. For the purposes of heading 9606 the term *"line"* in the rates of duty columns means the line button measure of 0.635 mm.

2. Buttons (whether or not finished) provided for in subheadings 9606.21.40 and 9606.29.20 which are the product of an insular possession of the United States outside the customs territory of the United States and which are manufactured or produced from button blanks or unfinished buttons which were the product of any

foreign country shall be subject to duty under subheadings 9606.21.40 and 9606.29.20 at the rates which apply to products of such foreign country.

* * * * * * *

HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (1990)

[Annotated for Statistical Reporting Purposes]

Heading/ subheading	Article Description	Units of quantity	Rates of duty		
			1		2
			General	Special	
*	*	*	*	*	*
9603	Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorized, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees):				
9603.10	Brooms and brushes, consisting of twigs or other vegetable materials bound together, with or without handles:				
	Whiskbrooms, *wholly or in part* of broom corn:				
	Valued not over 45¢ each:				
9603.10.10	In any calendar year prior to the entry, or withdrawal from warehouse for consumption, of 61,655 dozen whiskbrooms classifiable under subheadings 9603.10.10 to 9603.10.30, inclusive	No	8%	Free (E, IL) 6.4% (CA)	20%

HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (1990)—Continued

[Annotated for Statistical Reporting Purposes]

Heading/ subheading	Article Description	Units of quantity	Rates of duty 1 General	Special	2
*	* * * * * * *				
	Other brooms, *wholly or in part* of broom corn:				
	Valued not over 96¢ each:				
9603.10.40	In any calendar year prior to the entry, or withdrawal from warehouse for consumption, of 121,478 dozen brooms classifiable under subheadings 9603.10.40 to 9603.10.60, inclusive.	No	8%	Free (E, IL) 6.4% (CA)	20%

CHAPTER 98—SPECIAL CLASSIFICATION PROVISIONS

U.S. Notes

1. The provisions of this chapter are not subject to the rule of relative specificity in general rule of interpretation 3(a). Any article which is described in any provision in this chapter is classifiable in said provision if the conditions and requirements thereof and of any applicable regulations are met.

2. In the absence of a specific provision to the contrary, the tariff status of an article is not affected by the fact that it was previously imported into the customs territory of the United States and cleared through customs whether or not duty was paid upon such previous importation.

3. Any article exempted under subchapters IV through VII, inclusive, or subchapter IX from the payment of duty shall be exempt also from the payment of any internal-revenue tax imposed upon or by reason of importation.

Statistical Notes

1. Statistical data are not to be furnished with respect to articles classified in those headings of this chapter for which no statistical suffix is shown.

2. For articles provided for in this chapter, the rate of duty for which is derived from a provision elsewhere in the tariff schedule, the citation to be used in statistical reporting shall be the 10-digit statistical reporting number provided in this chapter followed by the reporting number of the provision from which such rate is de-

rived. The unit of quantity reported hereunder for such articles shall be the same as the unit of quantity for the provision from which the rate was derived. For example, 10 new fully automatic arc welding machines exported for repairs or alterations pursuant to a warranty and returned to the United States the statistical reporting number shall be 9802.00.4040–8515.31.0000, with the quantity being shown as 10 and the value as dutiable value. See general statistical note 1(a)(x) regarding the reporting of check digits on entry summary and withdrawal forms.

* * * * * * *

Subchapter II—Articles Exported and Returned, Advanced or Improved Abroad

U.S. Notes

1. This subchapter shall not apply to any article exported:

(a) From continuous customs custody with remission, abatement or refund of duty;

(b) With benefit of drawback;

(c) To comply with any law of the United States or regulation of any Federal agency requiring exportation; or

(d) After manufacture or production in the United States under heading 9813.00.05.

[2. Any] *2. (a) Except as provided in paragraph (b), any* product of the United States which is returned after having been advanced in value or improved in condition abroad by any process of manufacture or other means, or any imported article which has been assembled abroad in whole or in part of products of the United States, shall be treated for the purposes of this Act as a foreign article, and, if subject to a duty which is wholly or partly ad valorem, shall be dutiable, except as otherwise prescribed in this part, on its full value determined in accordance with section 402 of the Tariff Act of 1930, as amended. It such product or such article is dutiable at a rate dependent upon its value, the value for the purpose of determining the rate shall be its full value under the said section 402.

(b) No article (except an article listed in section 213(b) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(b)) may be treated as a foreign article, or as subject to duty, if—

(i) the article is—

(A) assembled in whole of fabricated components that are a product of the United States, or

(B) processed in whole of ingredients (other than water) that are a product of the United States,

in a beneficiary country; and

(ii) neither the fabricated components or ingredients, after exportation from the United States, nor the article itself, before importation into the United States, enters the commerce of any foreign country other than a beneficiary country.

As used in this paragraph, the term "beneficiary county" means a country listed in general note 3(c)(V)(A).

* * * * * * *

5. No imported article shall be accorded partial exemption from duty under more than one provision in this subchapter.

6. Notwithstanding the partial exemption from duties for the value of the metal product exported from the United States provided under subheading 9802.00.60, articles imported under subheading 9802.00.60 are subject to all other duties, and any other restrictions or limitations, imposed pursuant to title VII of the Tariff Act of 1930 (19 U.S.C. 1671, et seqq.) or chapter 1 of title II, or chapter 1 of title III, of the Trade Act of 1974 (19 U.S.C. 2251, et seqq.).

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Subchapter IV—Personal Exemptions Extended to Residents and Nonresidents

U.S. Notes

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4. As used in subheadings 9804.00.70 and 9804.00.72, the term "beneficiary country" means a country listed in general note 3(c)(v)(A).

Heading/ subheading	Article description	Units of quantity	Rates of duty		
			1		2
			General	Special	
	Articles imported by or for the account of any person arriving in the United States who is a returning resident thereof (including American citizens who are residents of American Samoa, Guam or the Virgin Islands of the United States) (con.):				

Heading/ subheading	Article description	Units of quantity	Rates of duty 1 General	Rates of duty 1 Special	Rates of duty 2
	Other articles acquired abroad as an incident of the journey from which the person is returning if such person arrives from the Virgin Islands of the United States or from a contingous country which maintains a free zone or free port, or arrives from any other country after having remained beyond the United States for a period of not less than 48 hours, for his personal or household use, but not imported for the account of any other person nor intended for sale, if declared in accordance with regulations of the Secretary of the Treasury and if such person has not claimed an exemption under [subheading 9804.00.65 or 9804.00.70 within 30 days preceding his arrival, and does not claim an exemption under the other item on his arrival] *subheadings 9804.00.65, 9804.00.70, and 9804.00.72 within 30 days preceding his arrival; and claims exemption under only one of such items on his arrival*				
9804.00.65	Articles, accompanying a person, not over $400 in aggregate fair retail value in the country of acquisition, including (but only in the case of an individual who has attained the age of 21) not more than 1 liter of alcoholic beverages and including not more than 200 cigarettes and 100 cigars.		Free		Free

Heading/ subheading	Article description	Units of quantity	Rates of duty		
			1		2
			General	Special	
9804.00.70	Articles whether or not accompanying a person, not over [$800] *$1,200* in aggregate fair market value in the country of acquisition, including: (a) but only in the case of an individual who has attained the age of 21, not more than 5 liters of alcoholic beverages, not more than 1 liter of which shall have been acquired elsewhere than in American Samoa, Guam or the Virgin islands of the United States, and not more than 4 liters of which shall have been produced elsewhere than in such insular possessions, and (b) not more than 1,000 cigarettes, not more than 200 of which shall have been acquired elsewhere than in such insular possessions, and not more than 100 cigars, if such person arrives directly or indirectly from such insular possessions, not more than $400 of which shall have been acquired elsewhere than in such insular possession *or up to $600 of which have been acquired in one or more beneficiary countries* (but this subheading does not permit the entry of articles not accompanying a person which were acquired elsewhere than in such insular possessions).		Free		Free

Heading/ subheading	Article description	Units of quantity	Rates of duty 1 General	Rates of duty 1 Special	Rates of duty 2
9804.00.72	*Articles whether or not accompanying a person, not over $600 in aggregate fair market value in the country of acquisition, including—* *(a) but only in the case of an individual who has attained the age of 21, not more than 1 liter of alcoholic beverages or not more than 2 liters if at least one liter is the product of one or more beneficiary countries, and* *(b) not more than 200 cigarettes, and not more than 100 cigars,* *if such person arrives directly from a beneficiary country, not more than $400 of which shall have been acquired elsewhere than in beneficiary countries (but this item does not permit the entry of articles not accompanying a person which were acquired elsewhere than in beneficiary countries).*		*Free*		*Free*

HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (1990)

ANNOTATED FOR STATISTICAL REPORTING PURPOSES

CHAPTER 99—TEMPORARY LEGISLATION; TEMPORARY MODIFICATIONS ESTABLISHED PURSUANT TO TRADE LEGISLATION; ADDITIONAL IMPORT RESTRICTIONS ESTABLISHED PURSUANT TO SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT, AS AMENDED

U.S. Notes

1. The provisions of this chapter relate to legislation and to executive and administrative actions pursuant to duly constituted authority, under which:

(a) One or more of the provisions in chapters 1 through 98 are temporarily amended or modified; or

(b) Additional duties or other import restrictions are imposed by, or pursuant to, collateral legislation.

2. Unless the context requires otherwise, the general notes and rules of interpretation, the section notes, and the notes in chapters 1 through 98 apply to the provisions of this chapter.

Statistical Notes

1. For statistical reporting of merchandise provided for herein:
   (a) Unless more specific instructions appear in the subchapters of this chapter, report the 8-digit heading or subheading number (or 10-digit statistical reporting number, if any) found in this chapter in addition to the 10-digit statistical reporting number appearing in chapters 1 through 97 which would be applicable but for the provisions of this chapter; and
   (b) The quantities reported should be in the units provided in chapters 1 through 97.
2. For those headings and subheadings herein for which no rate of duty appears (i.e., those headings and subheadings for which an absolute quota is prescribed), report the 8-digit heading or subheading number herein followed by the appropriate 10-digit statistical reporting number from chapters 1 through 97. The quantities reported should be in the units provided in chapters 1 through 97.
3. See general statistical note 1(a)(x) regarding the reporting of check digits on entry summary and withdrawl forms.

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Subchapter II—Temporary Reductions in Rates of Duty

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U.S. Notes

10. For purposes of heading 9902.56.03, the term "nonwoven fiber sheet" means sheet comprising a highly uniform and random array of polyester fibers of 1.5 to 3.0 denier, thermally bonded and calendered into a smooth surface web having—
   (a) a thickness of 3.7 to 4.0 mils;
   (b) a basis weight of 2.5 oz. per sq. yd.;
   (c) a machine tensile strength of 30 lb. per sq. in. or greater;
   (d) a low cross-direction tensile (approximately ⅓ of MD tensile strength); and
   (e) a Frazier air permeability of 1.0 to 1.5 cfm per sq. ft.

11. The general column 1 rate of duty for articles provided for under heading 9902.62.01 is a rate equal to the column 1 rate of duty that would have applied to such articles under the Tariff Schedules of the United States on the day before the effective date of this schedule.

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
*	* * *	*	* *	*	
9902.07.10	*Carrots, frozen (provided for in subheading 0710.80.70).*	*2.2¢/kg*	*No change*	*No change*	*On or before 12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
	• • •	•	• • •	•	
9902.08.07	Cantaloupes, fresh, if entered during the period from January 1 to May 15, inclusive of any year (provided for in subheading 0807.10.20).	Free	No change	No change	On or before [12/31/90] *12/31/92*
	• • •	•	• • •	•	
9902.15.15	*Castor oil and its fractions (provided for in subheading 1515.30.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.16.02	Corned beef in airtight containers (provided for in subheading 1602.50.10).	[3%] *Free*	No change	No change	On or before [12/31/89] *12/31/92*
9902.25.29	*Fluorspar containing by weight 97 percent or less of calcium fluoride (provided for in subheading 2529.21.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.28.25	*Mercuric oxide (provided for in subheading 2825.90.60).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
	• • •	•	• • •	•	
9902.29.04	p-Toluenesulfonyl chloride (provided for in subheading 2904.10.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.05	Mixtures containing not less than 90 percent by weight of stereoisomers of 2-isopropyl-5-methyl -cyclohexanol, but containing not more than [20 percent] *30 percent* by weight of any one such stereoisomer (provided for in subheading 2906.19.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.06	1,1-Bis(4-chlorophenyl)-2,2,2-trichloroethanol (Dicofol) (provided for in subheading 2906.29.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
	• • •	•	• • •	•	
9902.29.10	6-Hydroxy-2-naphthalenesulfonic acid, and its sodium, potassium, and ammonium salts (provided for in subheading 2908.20.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.11	Triethylene glycol dichloride (provided for in subheading 2909.19.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
	• • •	•	• • •	•	
9902.29.13	2,6-Dichlorobenzaldehyde (provided for in subheading 2913.00.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.14	Dinocap (provided for in subheading 2916.19.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
	• • •	•	• • •	•	
9902.29.21	m-Hydroxybenzoic acid (provided for in subheading 2918.29.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.22	d-6-Methoxy-α-methyl-2-naphthaleneacetic acid and its sodium salt (provided for in subheading 2918.90.30).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.23	Triphenyl phosphate (provided for in subheading 2919.00.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.24	3-Amino-3-methyl-1-butyne (provided for in subheading 2921.19.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.28	α,α,α-Trifluoro-o-toluidine (provided for in subheading 2921.43.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
[9902.29.29	2-Amino-5-chloro-4-methyl-benzene- sulfonic acid; and 2-Amino-5-chloro-4-ethylbenzenesulfonic acid (provided for in subheadings 2921.43.50 and 2921.49.50, respectively).	Free	No change	No change	On or before 12/31/90]
	• • •	•	• • •	•	
9902.29.30	8-Amino-1-naphthalenesulfonic acid and its salts (provided for in subheading 2921.45.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.29.31	5-Amino-2-(p-aminoanilino)benzenesulfonic acid (provided for in subheading 2921.59.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.33	1-Amino-8-.hydroxy-3,6-naphthalenedisulfonic acid; and 4-Amino-5-hydroxy-2,7-naphthalenedi-sulfonic acid, monosodium salt (H acid, monosodium salt) (provided for in subheading 2922.21.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.35	6-Amino-4-hydroxy-2-naphth alenesulfonic acid (Gamma acid) (provided for in subheading 2922.21.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.38	3,3'-Dimethoxybenzidine (o-Dianisidine) and its dihydrochloride (provided for in subheading 2922.22.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.40	2-Amino-5-nitrophenol (provided for in subheading 2922.29.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.43	1-Amino-2,4-dibromoanthraquinone (provided for in subheading 2922.30.30).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.44	1-Amino-4-bromo-2-anthraquinone- sulfonic acid (Bromamine acid) and its sodium salt (provided for in subheading 2922.30.30).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.47	4-Methoxyaniline-2-sulfonic acid (provided for in subheading 2922.50.40).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.49	Benzethonium chloride (provided for in subheading 2923.90.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.51	N-(7-Hydroxy-1-naphthyl)acetamide (provided for in subheading 2924.29.09).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.57	N,N-Bis(2-cyanoethyl)aniline (provided for in subheading 2926.90.40).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.59	2,2-Bis(4-cyanatophenyl) (provided for in subheading 2929.10.40).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.60	S-(2,3,3'-trichloroallyl)diisopropyl thiocarbamate (provided for in subheading 2930.20.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.62	Paraldehyde, USP grade (provided for in subheading 2932.90.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.63	Aminomethylphenylpyrazole (Phenylmethylaminopyrazole) (provided for in subheading 2932.19.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.64	6-(3-Methyl-5-oxo-1-pyrazolyl)-1,3-naphthalenedisulfonic acid (Amino-J-pyrazolone) (CAS No. 7277-87-4); and 3-Methyl-1-phenyl-5-pyrazolone (Methylphenylpyrazolone) (provided for in subheading 2933.19.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.66	m-Sulfaminopyrazolone (m-Sulfamidophenyl-methylpyrazolone) (provided for in subheading 2933.19.40).	Free	No change	No change	On or before [12/31/90] *12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.29.67	3-Methyl-1-(p-tolyl)-2-pyrazolin-5-one (p-Tolylmethylpyrazolone) (provided in subheading 2933.19.40).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.69	3-Methyl-5-pyrazolone (provided for in subheading 2993.19.50).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.71	Barbituric acid (provided for in subheading 2933.51.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.74	1-[4-(1,1-Dimethylethyl)phenyl]-4-(hydroxydiphenlmethyl)-piperidinyl-1 butanone (Terfenadone) (provided for in subheading 2933.90.37).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.29.76	2-n-Octyl-4-isothiazolin-3-one, and mixures of 2-n-octyl-4-isothiazolin-3-one and application adjuvants (provided in subheadings 2934.10.50, 3808.90.20 and 3808.90.50, respectively).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.29.79	2-Amino-N-ethylbenzenesulfonanilide (provided for in subheading 2935.00.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.30.04	Nicotine resin complex put in measured doses in chewing gum form (provided for in subheading 3004.40.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.30.07	*Calcium acetylsalicylate (provided for in subheading 2918.22.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.08	*2,2-Dimethyl-1,3-benzodiozol-4-yl methylcarbamate (Bendiocarb) (provided for in subheading 2932.90.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.09	*Octadecyl isocyanate (provided for in subheading 2929.10.40).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.10	*Dimethylbenzylidene sorbitol (provided for in subheading 2932.90.41).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.11	*4,4'-Isopropylidenedicyclohexanol (provided for in subheading 2906.19.00.*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.12	*Sulfachloropyridazine (provided for in subheading 2935.00.39).*	*Free*	*No change*	*No change*	*On or before 12/31/90*
9902.30.13	*Thiothiamine hydrochloride (CAS No. 2443-50-7) (provided for in subheading 2934.10.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.14	*1,4-Diaminobenzene-2-sulfonic acid (CAS No. 88-45-9) (provided for in subheading 2921.59.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.16	*Anthraquinone (provided for in subheading 2914.61.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.17	*Theobromine (provided for in subheadings 2939.90.10 and 2939.90.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.18	*Chlorhexanone (provided for in subheading 2914.70.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.19	*Naphthalic acid anhydride (provided for in subheading 2917.39.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.20	*1-Amino-8-hydroxy-4,6-naphthalene-disulfonic acid, monosodium salt (CAS No. 85294-32-2) (provided for in subheading 2922.21.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.21	*2-Naphthylamine-6-sulfonic acid (CAS No. 93-00-5) (provided for in subheading 2921.45.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.22	*2-Naphthylamine-1,5-disulfonic acid and the monosodium salt (CAS Nos. 117-62-4 and 19532-03-07) (provided for in subheading 2921.42.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.30.23	*1-Naphthol-4-sulfonic acid and the monosodium salt (CAS Nos. 84-87-7 and 6099-57-6) (provided for in subheading 2908.20.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.24	*3-Aminomethoxy-benzanilide (provided for in subheading 2924.29.25).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.25	*3-Hydroxy-2-naphthanilide (CAS No. 92-77-3); 3-Hydroxy-2-naphtho-o-toluidide (CAS No. 135-61-5); 3-Hydroxy-2-naphtho-o-anisidide (CAS No. 135-62-6); 3-Hydroxy-2-naphtho-o-phenetidide (CAS No. 92-74-0); 3-Hydroxy-2-naphtho-4-chloro-2,5-dimethoxyanidide (CAS No. 4273-92-1); and N,N-bis(acetoacetyl-o-toluidine) (CAS No. 91-96-3) (provided for in subheading 2924.29.14).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.26	*Mixed ortholpara toluenesulfonamide (provided for in subheading 2935.00.47).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.27	*2,6-Dichlorobenzonitrile (provided for in subheading 2926.90.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.28	*1-[1-((4-Chloro-2-(trifluoromethyl)-phenyl)imino)-2-proposyethyl]-1-H-imidazole (provided for in subheading 2933.29.30).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.29	*4-Aminoacetanilide (CAS No. 122-80-5) (provided for in subheading 2924.29.45).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.30	*6-Amino-2-naphth-alenesulfonic acid (CAS No. 93-00-5) (provided for in subheading 2921.45.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.31	*8-Amino-2-naphth-alenesulfonic acid (CAS No. 119-28-8) (provided for in subheading 2921.45.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.32	*Mixtures of 5- and 8-amino-2-naphth-alenesulfonic acid (CAS No. 119-28-8) (provided for in subheading 2921.45.30).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.33	*5-Amino-2-naphth-alenesulfonic acid (CAS No. 119-79-9) (provided for in subheading 2921.45.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.34	*1-Naphthylamine (CAS No. 134-32-7) (provided for in subheading 2921.45.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.35	*4-Amino-1-naphthalenesulfonic acid, sodium salt (CAS No. 130-13-2) (provided for in subheading 2921.45.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.36	*1,4-Dihydroxy-anthraquinone (CAS No. 81-64-1) (provided for in subheading 2914.69.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.37	*7-Nitronaphth-[1,2] oxadiazole-5-sulfonic acid (CAS No. 84-91-3) (provided for in subheading 2934.90.06).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.38	*4-Chloro-α,α,α-trifluoro-o-toluidine* (CAS No. 445-03-4) (provided for in subheading 2921.43.10).	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.39	*7-Amino-1,3-naphthalenesulfonic acid, monopotassium salt (CAS No. 842-15-9) (provided for in subheading 2921.45.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.40	*2-Amino-4-chlorophenol (CAS No. 95-85-2) (provided for in subheading 2922.29.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.41	*2,4-Diaminobenzene-sulfonic acid (CAS No. 88-63-1) (provided for in subheading 2921.50.51).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.42	*2,5-Dichloro-4-(3-methyl-5-oxo-2-pyrazolin-1-yl)-benzenesulfonic acid (CAS No. 84-57-1) (provided for in subheading 2933.18.424).*	*Free*	*No change*	*No change*	*On or before 12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.30.43	*7-Hydroxy-1,3-naphthalene-dissulfonic acid dipotassium salt (CAS No. 842-18-2) (provided for in subheading 2908.20.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.44	*o-Anisidine (CAS No. 90-04-0) (provided for in subheading 2922.22.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.45	*1-Amino-2-bromo-4-hydroxy-anthraquinone (CAS No. 116-82-5) (provided for in subheading 2922.50.40).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.46	*2-Chloro-4-nitroaniline (CAS No. 121-87-9) (provided for in subheading 2921.42.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.47	*(1,3,3-Trimethyl-indoline-2-ylidene)-acetaldehyde (CAS No. 84-83-3) (provided for in subheading 2933.90.39).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.48	*1,3,3-Trimethyl-2-methyleneindoline (CAS No. 118-12-7) (provided for in subheading 2933.90.39).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.49	*2[(4-Aminophenyl)-sulfonyl]ethanol, hydrogen sulfate ester (CAS No. 2494-89-5) (provided for in subheading 2930.90.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.50	*7-Anilino-4-hydroxy-2-naphthalenesulfonic acid (CAS No. 119-40-4) (providing for in subheading 2922.29.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.51	*1,4-Diamino-2,3-dihydro-anthraquinone (CAS No. 81-63-0) (provided for in subheading 2922.30.30).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.52	*0,0-Dimethyl-S-[(4-oxo-1,2,3-benzotriazin-3-(4H)-yl)methyl]phosphorodithioate (provided for in subheading 2933.90.18).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.53	*L-Alanyl-L-proline (provided for in subheading 2933.90.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.54	*Trifluoroacetyl-L-lysine-L-proline in free base and tosyl salt forms (provided for in subheadings 2922.49.50 and 2922.49.30, respectively).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.55	*Nimodipine (provided for in subheading 2933.39.35).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.56	*Ciprofloxacin and its hydrochloride salt (provided for in subheading 2933.59.27).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.57	*Sucralfate (provided for in subheading 2940.00.00.*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.58	*(6R-(6a,7B(z)))-7-(((2-Amino-4-thiazolyl)((carboxy-methoxy)imino)acetyl) amino)-3-ethenyl-8-oxo-5-thia-1-azabicyclo(4.2.0)-oct-2-ene-2-carboxylic acid (provided for in subheading 2941.90.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.59	*N-(4-(((2-Amino-5-formyl-1,4,5,6,7,8-hexa- hydro-4-oxo-6-pteridinyl)methyl)amino) benzoyl)-L-glutamic acid (provided for in subheading 2936.29.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.60	*1-Ethyl-6-fluoro-1,4,-dihydro-4-oxo-7-(1-piperazinyl)-3-quinolinecarboxylic acid (Norfloxacin) (provided for in subheading 2933.59.27).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.61	*2,2-Dimethylcyclopropyl-carboxamide (provided for in subheading 2924.29.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.62	*N-Amidino-3,5-diamino-6-chloropyrazine-carboxamide, monohydrochloride dihydrate (Amiloride hydrochloride) (provided for in subheading 2933.90.36).*	*Free*	*No change*	*No change*	*On or before 12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.30.63	Mixtures of dimethyl phthalate, t-butanol, hydrogen peroxide, and sodium salicylate (provided for in subheading 3823.90.29).	Free	No change	No change	On or before 12/31/92
9902.30.64	N,N'-Bis(2,2,6,6-tetramethyl-4-piperadinyl)-1,6-hexanediamine (CAS No. 612-55-7) (provided for in subheading 2933.39.47).	Free	No change	No change	On or before 12/31/92
9902.30.65	Monobutyl-p-ethylphenol (provided for in subheading 2907.19.50).	Free	No change	No change	On or before 12/31/92
9902.30.66	2-Ethylanthraquinone (provided for in subheading 2914.69.50).	Free	No change	No change	On or before 12/31/92
9902.30.67	Rhodamine 2C base (CAS No. 41382-37-0) (provided for in subheading 2932.90.45).	Free	No change	No change	On or before 12/31/92
9902.30.68	L-Ornithine, ethyl ester (L-2,5-Diaminopentanoic acid) (CAS No. 84772-29-2) (provided for in subheading 2922.49.50).	Free	No change	No change	On or before 12/31/92
9902.30.69	Teicoplanin (provided for in subheading 3003.20.00 or 3004.20.00).	Free	No change	No change	On or before 12/31/92
9902.30.70	Acetoacet-para-toluidide (provided for in subheading 2924.29.09).	Free	No change	No change	On or before 12/31/92
9902.30.71	Acetoacetsulfanilic acid, potassium salt (provided for in subheading 2924.29.40).	Free	No change	No change	On or before 12/31/92
9902.30.72	6-Methyluracil (provided for in subheading 2933.59.50).	Free	No change	No change	On or before 12/31/92
9902.30.73	Ethyl 2-(2-aminothiazole-4-yl)-2-hydroxyiminoacetate (provided for in subheading 2934.10.50).	Free	No change	No change	On or before 12/31/92
9902.30.74	Ethyl 2-(2-aminothiazole-4-yl)-2-methoxyiminoacetate (provided for in subheading 2934.10.50).	Free	No change	No change	On or before 12/31/92
9902.30.75	4,4'-Methylenebis-(2,6-dimethylphenyl-cyanate (provided for in subheading 2907.29.50).	Free	No change	No change	On or before 12/31/92
9902.30.76	2,2'-Bis(4-cyanatophenyl)-1,1,1,3,3,3-hexafluoropropane (provided for in subheading 2929.90.10).	Free	No change	No change	On or before 12/31/92
9902.30.77	4,4'-Thiodiphenyl cyanate (provided for in subheading 2930.90.20).	Free	No change	No change	On or before 12/31/92
9902.30.78	1,1-Ethylidenebis-(phenyl-4-cyanate) (provided for in subheading 2929.90.10).	Free	No change	No change	On or before 12/31/92
9902.30.79	Hydrocarbon novolac cyanate ester (provided for in subheading 3911.90.30).	Free	No change	No change	On or before 12/31/92
9902.30.80	4,4'-Methylenebis-(3-chloro-2,6-diethylaniline) (provided for in subheading 2921.42.30).	Free	No change	No change	On or before 12/31/92
9902.30.81	4,4'-Methylenebis-(2,6-diisopropyl-aniline) (provided for in subheading 2921.42.50).	Free	No change	No change	On or before 12/31/92
9902.30.82	L-Carnitine (provided for in subheading 2923.90.00).	Free	No change	No change	On or before 12/31/92
9902.30.83	4,4-Bis(4-hydroxyphenyl)pentanoic acid (CAS No. 126-00-1) (provided for in subheading 2918.29.40).	Free	No change	No change	On or before 12/31/92
9902.30.84	6-Hydroxy-2-naphthoic acid (provided for in subheading 2918.29.50).	Free	No change	No change	On or before 12/31/92
9902.30.85	3-Amino-2-(1-hydroxyethyl)-pentanedioic acid, 5-methyl ester (provided for in subheading 2922.50.50.	Free	No change	No change	On or before 12/31/92
9902.30.86	2',4'-Difluoro-4-hydroxy-3-biphenylcarboxylic acid (Diflunisal) (provided for in subheading 2918.29.40).	Free	No change	No change	On or before 12/31/92
9902.30.87	3-(Trifluoromethylaniline (CAS No. 98-16-8) (m-Aminobenzotrifluoride) (provided for in subheading 2921.43.50).	Free	No change	No change	On or before 12/31/90

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.30.88	*Tamoxifen citrate (provided for in subheading 2922.19.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.89	*2-[4-(4-Chlorobenzoyl)phenoxy]-2-methylpropanoic acid, isopropyl ester (Fenofibrate) (provided for in subheading 3004.90.60.*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.90	*6-t-Butyl-2,4-xylenol (provided for in subheading 2907.19.50.*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.91	*2,4-Diamino-6-phenyl-1,3,5-triazine (provided for in subheading 2933.69.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.92	*Iopamidol (provided for in subheading 2924.29.40).*	*Free*	*No change*	*No change*	*On or before 12/31/91*
9902.30.93	*N,N-Bis(2,3-dihydroxpropyl)-5-[N-(2,3-dihydroxypropyl)-acetamido]-2,4,6-triiodoisophthalamide (Iohexol) (provided for in subheading 2924.29.40).*	*Free*	*No change*	*No change*	*On or before 12/31/91*
9902.30.94	*p-Hydroxybenzaldehyde (provided for in subheading 2912.49.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.95	*N-(2-Hydroxyethyl)-2,4,6-triiodo-5-[2-(2,4,6-triiodo-3-(N-methylacetamido)-5-(methylcarbamoyl)benzamido)acetamido]-isophthalamic acid (Ioxaglic acid) (provided for in subheading 2924.29.40).*	*Free*	*No change*	*No change*	*On or before 12/31/91*
9902.30.96	*7-Acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene (provided for in subheading 2914.30.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.97	*2,3,6-Trimethylphenol (provided for in subheading 2907.29.30).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.98	*1,5-Naphthalene diisocyanate (provided for in subheading 2929.90.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.30.99	*1,6-Hexamethylene diissocyanate (provided for in subheading 2929.10.50).*	*7.9%*	*No change (E,IL) Free (CA)*	*No change*	*On or before 12/31/92*
9902.31.00	*p-Tolualdehyde (provided for in subheading 2912.29.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.31.01	*Dilitazem hydrochloride (provided for in subheading 2934.90.25, 3003.90.00, or 3004.90.60).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.31.04	*(+)-cis-(2s, 3s)-3-(Acetoxy)-8-chloro-5-[2-(dimethylamino) ethyl]-2,3-dihydro-2-(4-methodxyphenyl)-1,5-benzothiazepin-4(5H) one maleate (provided for in subheading 2934.90.25).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.31.05	*Copper acetate monohydrate (provided for in subheading 2915.29.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.31.06	*2-[4-[(6-Chloro-2-quinoxalinyl)oxy]-phenoxyl]propionic acid, ethyl ester (Quizalofop-ethyl) (provided for in subheading 2933.90.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.31.07	*Diphenyldichlorosilane and phenyltrichlorosilane (provided for in subheading 2931.00.40).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.31.08	*4-Fluoro-3-phenoxy benzaldehyde (provided for in subheading 2913.00.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.32.04	3,7-Bis(dimethylamino) phenazathionium chloride (Methylene blue) (provided for in subheading 3204.13.50.	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.34.07	*Modeling parties (provided for in subheading 3407.00.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.36.06	Metaldehyde (provided for in subheading 2912.50.00, 3606.90.60 or 3808.90.50.	Free	No change	No change	On or before [12/31/90] *12/31/92*
	• • •	•	• •	•	
9902.38.06	Mixtures of dinocap and application adjuvants (provided for in subheading 3808.20.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.38.07	Mixtures of mancozeb and dinocap (provided for in subheading 3808.90.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.38.08	Maneb, zineb, mancozeb, and metiram (provided for in subheading 3808.20.20).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.38.10	Mixtures of 5-chloro-2-methyl-4-isothiazolin-3-one, 2-methyl-4-isothiazolin-3-one, magnesium chloride and stabilizers, whether or not containing application adjuvants (provided for in subheading 3808.90.20).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.38.11	Mixtures of 1,1-bis (4-chlorophenyl)-2,2,2-trichloroethanol (Dicofol) and application adjuvants (provided for in subheading 3808.90.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.38.13	*Mixtures of 2,6-dichlorobenzonitrile (90% and inerts (up to 10%) (provided for in subheading 3808.30.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.39.11	*Polymin P and Polymin P hydrochloride (provided for in subheading 3911.90.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
•	• •	•	• •	•	
9902.39.12	*Polymin SNA 60 (CAS No. 28825-79-8) (provided for in subheading 3911.90.30).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.39.14	Cross-linked pollyvinylbenzyltrimethylammonium chloride (Cholestyramine resin USP) (provided for in heading 3914.00.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
•	• •	•	• •	•	
9902.39.26	Transparent sheeting of plastics containing 30 percent or more by weight of lead (provided for in subheading 3926.90.90).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.39.27	*Cards, not punched, suitable for use as, or in making, jacquard cards (provided for in subheading 3926.30.00, or 4823.90.85).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.40.11	Bicycle tires, innertubes and rim strips, the foregoing of rubber or plastics (provided for in subheading 4011.50.00, 4012.90.20, 4012.90.50 or 4013.20.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.44.21	*Manmade or recomposed wood veneer not exceeding 6 mm in thickness, sliced from a block composed of wood veneer sheets produced from logs and flitches (provided for in subheading 4421.90.90).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.44.22	*Theatrical, ballet, and operatic scenery and properties, including sets (provided for in subheading 4421.90.90, 5907.00.10, 5907.00.90, 9701.10.00, 9706.00.00, or 9813.00.65).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.46.02	*Wicker products (provided for in subheading 4602.10.11, 4602.10.13, 4602.10.19, 4602.10.40, or 4602.10.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.48.23	Jacquard cards and jacquard heads for power-driven weaving machines, and parts thereof (provided for in subheading [4823.90.85], *3926.90.90, 4823.30.00, 4823.90.85,* 8448.11.00 or 8448.49.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*

Heading/ subheading	Article description	Rates of duty 1 General	Rates of duty 1 Special	Rates of duty 2	Effective period
	. . .	.	.	.	
9902.51.01	Unimproved wool; other wool not finer than 46s (all the foregoing provided for in subheadings 5101.11.10 through 5101.11.50, 5101.19.10 through 5101.19.50, 5101.21.10 through 5101.21.35, 5101.29.10 through 5101.29.35 or 5101.30.10 through 5101.30.30.	Free	No change	No change	On or before [12/31/90] *12/31/92*
	. . .	.	.	.	
9902.56.03	*Nonwoven fiber sheet (provided for in subheading 5603.00.90).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.58.06	*Fastener fabric tapes of man made fibers (provided for in subheading 5806.10.20).*	*7%*	*No change*	*No change*	*On or before 12/31/92*
9902.60.10	*(6R, 7R)-7-[(Z)-2-(2-Aminothiazol-4-yl)-2-[(2-tert-butoxycarbonyl)prop-2-oxyiminol acetamido]-3-(1-pyridinium-methyl)ceph-3-em-4-carboxylate (Ceftazidime tertiary butyl ester) (provided for in subheading 2934.90.25).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.61.00	Sweaters that— (i) do not contain foreign materials in excess of the percentage of total value limitation contained in general note 3(a)(iv), and (ii) are assembled in Guam, exclusively by United States citizens, nationals, or resident aliens, by joining together (by completely sewing, looping, linking, or other means of attaching) at least 5 otherwise completed major knit-to-shape component parts of foreign origin; and if entered before the aggregate quantity of such sweaters that is entered during any 12-month period after October 31, 1985, exceeds the duty-free quantity for that period.	Free	No change	No change	On or before [10/31/92] *12/31/92*
9902.62.01	*Ice hockey pants, field hockey pants, and articles provided for under subheading 6201.93 or 6203.43 which because of their design, fabric, construction and special features provide protection to athlete participants against the hazards of a sport such as injury from blows, falls, flying objects, road burns, or fire.*	*The rates of duty prescribed in U.S. note 11 to the subchapter*	*No change*	*No change*	*On or before 12/31/92*
9902.62.04	*Karate pants and karate belts (provided for in subheadings 6203.42.40, 6203.43.40, 6204.62.40, 6204.63.35, or 6217.10.00).*	*8%*	*No change*	*No change*	*On or before 12/31/92*
[9902.62.10	Bonded fiber fabric disposable gowns, sterilized or in immediate packings ready for sterilization, for use in performing surgical procedures, of man-made fibers (provided for in subheading 6210.10.40) and bonded fiber fabric disposable surgical drapes, of man-made fibers (provided for in subheading 6307.90.70).	5.6%	No change (E*, IL) 3.3 (CA)	26.5%	On or before 12/31/90, except that in the case of goods originating in the territory of Canada the effective period is on or before 12/31/98]

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.62.10	*Spunlaced or bonded fiber fabric disposable gowns of manmade fibers for use in performing surgical procedures (provided for in subheading 6210.10.40) and spunlaced or bonded fiber fabric disposable surgical drapes of manmade fibers (provided for in subheading 6307.90.70).*	*5.6%*	*No change (E*, IL) 3.3% (CA)*	*26.5%*	*On or before 12/31/90, except that in the case of goods originating in the territory of Canada the effective period is on or before 12/31/98*
9902.64.02	*Skating boots (provided for in subheading 6402.19.10) actually used in the manufacture of in-line roller skates.*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.66.01	*Self-folding telescopic shaft, collapsible umbrellas chiefly used for protection against rain (provided for in subheading 6601.91.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.70.11	*Monochrome glass envelopes with both (1) gray, tinted skirted faceplates, and (2) either a video display diagonal of 14 inches and under or a transmission level of 37% or less (provided for in subheading 7011.20.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
.	. . .	.	. .	.	.
9902.70.13	Kitchenware of glass-ceramics, nonglazed, greater than 75 percent by volume crystalline, of lithium aluminosilicate, having a linear coefficient of expansion not exceeding 10 × 10^{-7} per Kelvin within a temperature range of 0 °C to 300 °C, transparent, haze-free, exhibiting transmittances of infrared radiations in excess of 75 percent at a wavelength of 2.5 microns when measured on a sample 3 mm in thickness, and containing β-quartz solid solutions as the predominant crystal phase (provided for in subheading 7013.10.10).	Free	No change	No change	On or before 12/31/92
9902.70.19	*Fiberglass rubber reinforcing cord or yarn made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter or 10 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds (provided for in subheading 7019.10.10, 7019.10.20, or 7019.10.60).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.70.20	*Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filament 9 microns in diameter or 10 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds (provided for in subheading 7019.20.10, 7019.20.20, or 7019.20.50).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
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[9902.71.13	Jewelry provided for in subheading 7117.19.10, 7117.19.50 or 7117.90.40 (except parts) valued not over 1.6¢ per piece; and articles provided for in heading 9502, 9503 or 9504 or subheading 9505.90 (except balloons, marbles, dice, and diecast vehicles), valued not over five cents per unit.	Free	No change	No change	On or before 12/31/90]

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.71.13	*Toy jewelry provided for in subheading 7117.19.10, 7117.19.50, 7117.90.40 (except parts) or 7117.90.50 (except parts) valued not over 5¢ per piece; and articles (except parts) provided for in heading 9502, 9503, or 9504 or subheading 9505.90 (except balloons, marbles, dice, and diecast vehicles), valued not over 5¢ per unit.*	*Free*	*No change*	No change	*On or before 12/31/92*
9902.73.12	Cable or inner wire for caliper brakes and casing therefor, whether or not cut to length (provided for in subheading 3917.32.00, 7312.10.05, 7312.10.10, 7312.10.20, 7312.10.30, 7312.10.50, 7312.10.60, 7312.10.70, 7312.10.90 or 7326.90.90).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.73.15	Bicycle chains (provided for in subheading 7315l.11.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
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9902.84.07	*Internal combustion piston-type engines, of a cylinder capacity exceeding 50 cc but not exceeding 1,000 cc (provided for in subheading 8407.32.20 or 8407.33.20), to be installed in vehicles specifically designed for traveling on snow, golf carts, non-amphibious all-terrain vehicles, and burden carriers, (provided for in subheading 8703.10.00, 8703.21.00, or 8704.31.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
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9902.84.19	*Molten-salt-cooled acrylic acid reactors and their associated parts, accessories, and equipment, imported as an entirety (provided for in subheading 8419.89.50, 8419.90.30, or 8419.90.90).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
.	. . .	.	. .	.	
9902.84.44	Machines designed for heat-set, stretch texturing of continuous man-made fibers (provided for in heading 8444.00.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.84.47	Hosiery knitting machines, [single cylinder fine gauge and all double cylinders] *and parts thereof* (provided for in subheading 8447.11.10, 8447.12.10 [or 8447.20.60)] *8447.20.60, or 8448.59.10.*	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.84.48	Cylinder, double cylinder and dial knitting machines, parts thereof, and auxiliary machines for use therewith, all the foregoing designed for sweater strip or garment length knitting (provided for in subheading 8447.12.90, 8448.19.00 or 8448.59.10).	Free	No change	No change	On or before [12/31/90] *12/31/92*
.	. . .	.	. .	.	
9902.84.51	Needles for knitting machines (provided for in subheading 8448.51.10 or 8448.51.30).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.84.65	*Impact line printers using band drive mechanisms and capable of printing speeds of not less than 1,300 lines per minute (provided for in subheading 8471.92.65).*	*No change*	*No change*	*3.75%*	*On or before 12/31/92*
.	. . .	.	. .	.	
9902.84.79	*Wheelbuilding, wheeltruing, rim punching, tire fitting and similar machines for use in the manufacture of wheels for bicycles (provided for in subheading 8479.89.90).*	*Free*	*No change*	*No change*	*On or before 12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
. . .		.	. .	.	
9902.85.03	*Parts of generators suitable for use on aircraft (provided for in subheading 8504.40.00 or 8525.20.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.85.12	Generator lighting sets for bicycles, and parts thereof (provided for in subheading 8512.10.20 or 8512.90.40).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.85.24	*Video tape recordings of a width exceeding 6.5 mm but not exceeding 16 mm, in cassettes of United States origin as certified by the importers, and valued at not over $7.00 per prerecorded cassette unit (provided for in subheading 8524.23.10).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.85.25	*Infant nursery intercommunication systems, each consisting in the same package of a pair of transceivers operating on frequencies from 49.82 to 49.90 mHz and an electrical adapter (provided for in subheading 8504.40.00 or 8525.20.20).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.85.26	*Infant nursery monitor systems, each consisting in the same package of a radio transmitter, an electrical adapter, and a radio receiver (provided for in subheading 8504.40.00, 8525.10.60, or 8527.39.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
. . .		.	. .	.	
9902.85.44	*Self-contained fluid filled submarine cable of 345 kilovolts (provided for in subheading 8544.60.40).*	*Free*	*No change*	*No change*	*On or before 12/31/91*
. . .		.	. .	.	
9902.87.14	Caliper brakes, drum brakes, front and rear derailleurs, shift levers, cables and castings for derailleurs, coaster brakes, two-speed hubs with internal gear-changing mechanisms, three-speed hubs, whether or not incorporating coaster brakes, click twist grips, trigger and twist grip controls for three-speed hubs, free wheel sprockets, cotterless type crank sets, frame lugs, and parts of all the foregoing (provided for in subheading 3917.32.00 or heading 7312 or 8714).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.87.15	*Bicycle handlebar stems wholly of aluminum alloy, valued over $2.15 each (provided for in subheading 8714.99.90).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.87.16	*Bicycle handlebar stem rotor assemblies (provided for in subheading 8714.99.90).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.90.06	*Cameras incorporating 4 fixed lenses which together are capable of producing a 3-dimensional effect (provided for in subheading 9906.53.00).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.90.90	Parts and accessories, not including photoreceptors or assemblies containing photoreceptors, of electrostatic copying machines, which machines operate by reproducing the original image via an inter-mediate (provided for in subheading 9009.90.00).	Free	No change	No change	On or before [12/31/90] *12/31/92*
9902.91.06	*Apparatus for measuring, recording, or otherwise indicating intervals of time, with clock or watch movements, battery or AC powered and with opto-electronic display only (provided for in subheading 9106.90.80).*	*3.9% on the apparatus + 5.3% on the battery*	*No change*	*No change*	*On or before 12/31/92*

Heading/ subheading	Article description	Rates of duty			Effective period
		1		2	
		General	Special		
9902.94.01	*Furniture, seats, and parts thereof, of cane, osier, bamboo or other similar materials, including rattan (provided for in subheading 9401.50.00, 9401.90.25, 9403.80.30, or 9403.90.25).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.95.05	*Christmas ornaments other than ornaments of glass or wood (provided for in subheading 9505.10.25).*	*Free*	*No change*	*No change*	*On or before 12/31/92*
9902.98.00	*Personal effects of aliens who are participants in or officials of the 1990 Goodwill Games, or who are accredited members of delegations thereto, or who are members of the immediate families of any of the foregoing persons, or who are their servants; equipment for use in connection with such games, and other related articles as prescribed by the Secretary of the Treasury.*	*Free*		*Free*	*On or before 9/30/90*
9902.98.03	*Personal effects of aliens who are participants in, or officials of, the 1993 World University Games, who are accredited members of delegations thereto, who are members of the immediate families of any of the foregoing persons, or who are their servants; equipment for use in connection with such games, and such other related articles as may be prescribed by the Secretary of the Treasury.*	*Free*	*No change*	*Free*	*On or before 9/30/93*

TITLE 21—FOOD AND DRUGS

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CHAPTER 13—DRUG ABUSE PREVENTION AND CONTROL

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§ 857. Use of Postal Service for sale of drug paraphernalia

(f) EXEMPTIONS.—This section shall not apply to—

(1) any person authorized by local, State, or Federal law to manufacture, possess, or distribute such items; or

(2) any item that, in the normal lawful course of business, is imported, exported, transported, or sold through the mail or by any other means, and traditionally intended for use with tobacco products, including any pipe, paper, or accessory.

(g)(1) The Commissioner of Customs shall prescribe guidelines for use in determining whether articles intended for importation or exportation are to be considered drug paraphernalia.

(2) Prior to prescribing the final form of the guidelines under paragraph (1), the Commissioner of Customs shall hold a public hearing on the preliminary form of the guidelines.

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